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14. ABSTRACT Afghanistan has been plagued with turmoil for decades. Conflict, corruption, and crime have complicated this environment, but a fundamental cause of instability is the narcotics industry. Many problems emanate from the narcotics trade and the benefits it provides insurgent, terrorist, and criminal groups. The country has seen significant opium cultivation since the 1950s, but it has only been in recent years that the narcotics industry has coupled with domestic tensions to escalate the dependence on narcotics. Radical groups have seized upon this condition to secure Afghanistan as a safe haven for terrorism. This thesis proposes that Afghanistan cannot succeed as a stable nation without marginalizing narcotics production and narco-trafficking. Efforts to reduce the influence of narcotics must occur concurrently with efforts to strengthen licit economic opportunities and introduce meaningful alternative livelihoods. Development of economic opportunities coupled with effective governmental reform is necessary for the nation to become prosperous, stable, and secure.					
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JOINT FORCES STAFF COLLEGE
JOINT ADVANCED WARFIGHTING SCHOOL



Afghanistan Narcotics: The Bigger Battle Toward Stabilization

by

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A paper submitted to the Faculty of the Joint Advanced Warfighting School in partial satisfaction of the requirements of a Master of Science Degree in Joint Campaign Planning and Strategy.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Joint Forces Staff College or the Department of Defense.

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Abstract

Afghanistan has been a nation plagued with seemingly insurmountable turmoil for decades. Conflict, corruption, and crime have complicated this environment, but a fundamental cause of instability is the narcotics industry. It is fundamental because it is a root cause of much of the conflict, corruption, and crime the country is experiencing. Many problems within the region emanate from the narcotics trade and the benefits it provides insurgent, terrorist, and criminal groups.

The country has seen significant opium cultivation since the 1950s, but it has only been in recent years that the narcotics industry has coupled with other Afghan domestic tensions to escalate the country's relative dependence on narcotics.¹ The Soviet invasion and occupation in the 1970s devastated infrastructure and agricultural environment, limiting the Afghan economic and agricultural options. Since September 11, 2001, radical groups have seized upon this condition to secure Afghanistan as a training area, safe haven, and breeding ground for terrorism. Insurgent and terrorists groups utilize the country's isolated regions as an ideological recruitment base and for generating revenue from the narcotics industry and narco-trafficking.

Extortion, bribery, and corruption stemming from the narcotics trade fuel Afghanistan's instability, draw society down, and erode security. These factors make prosperity and economic growth for the overall populace much more difficult. This thesis proposes that Afghanistan cannot succeed as a stable nation without marginalizing narcotics production and narco-trafficking. Effective security, strong governance, judicial capability,

¹ Vanda Felbab-Brown, "Kicking the Opium Habit? Afghanistan's Drug Economy and Politics Since the 1980s," *Conflict, Security & Development* 6 (June 2, 2006): 128.

and alternative livelihoods are all necessary components for the country to advance and better support its people. Efforts to reduce the influence of narcotics must occur concurrently with visible efforts to strengthen licit economic opportunities and introduce the possibility of meaningful alternative livelihoods. Development of these economic opportunities coupled with effective governmental reform is necessary for the nation to become prosperous, stable, and secure.

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As a nation, it is our duty to eradicate poppy cultivation. It only brings shame to the noble people of Afghanistan. The benefit of opium poppy production does not go to ordinary Afghans, but to international mafia groups, terrorists, and the enemies of Afghanistan. It is essential to destroy narcotics or it will destroy us.

--President Hamid Karzai, "Second Conference on Counternarcotics"

I. Introduction

For decades, Afghanistan has been a nation plagued with seemingly insurmountable turmoil. Conflict, corruption, and crime are only a few of the problems faced by the nation. At its core, the narcotics industry severely compromises the nation's stability and endangers the people, economy, and political foundations necessary for a successful, free, and democratic nation. Many factors strengthen the narcotics industry's hold on Afghanistan: poverty, climate and terrain, lack of infrastructure, and most importantly a fundamental lack of security. The link between insurgent entities and narcotics is a basic element of insecurity and the many problems faced by Afghanistan.

A stable Afghanistan is imperative for prosperity and increased global security. September 11, 2001 brought the United States' focus on Afghanistan as a training area, safe haven, and breeding ground for terrorism. Since the U.S. led coalition invasion of Afghanistan in 2001, the ongoing conflict has changed from a direct struggle against terrorists to that of a complex counterinsurgency (COIN) operation. To achieve success, COIN operations must focus on both the insurgent forces and the support structures that directly provide their assistance. These coordinated COIN activities focus on improved security, governance, and economic development to counter threats as well as guarantee Afghan national stability.

Actions by the military elements of the coalition are not sufficient by themselves to prevail against the insurgency. The Government of Afghanistan and the non-military capabilities of the international community must work together and with the military to produce a stable nation. The combined efforts of all three are required to lay siege to the narcotics industry, which links the fundamental components of Afghan instability. Security and stability throughout the country are essential for sustainable growth. However, coalition forces in Afghanistan establish only temporary security and stability as they train and equip Afghan Forces and assist the government. Even the financial aid from coalition nations will be inadequate to provide stability without addressing the narcotics involvement in the insurgency.

It has been eight years since the coalition invasion. Terrorists, extremists, and insurgents continue to utilize Afghanistan as an area in which to freely operate, recruit, and generate financial support. These groups instill terror, corruption, and instability throughout society. They prevent the government from establishing effective control, particularly in the south and southeast regions along the Pakistan border.² Insurgents view the Afghan narcotics industry as a tool to promote their cause. Narcotics provide the financial resources necessary for continued anti-governmental operations and contribute to the decline of society.

To establish the security necessary for sustainable national development, the Government of Afghanistan has committed to the implementation and integration of a comprehensive national security strategy under the Afghanistan National Development Strategy (ANDS) to build robust security sectors, strengthen civil and military operations and coordination, increase the effectiveness of counter-narcotics activities, and strengthen the

² Islamic Republic of Afghanistan, *Afghanistan National Development Strategy, 2008-2013*, (Kabul, 2008), 5.

civilian components of the state's security capacity.³ It is only through development of such capacities, in conjunction with a successful counternarcotics campaign, that security may be established and maintained.

The counternarcotics efforts must transcend all aspects of the overall strategy to be successful. Counternarcotics efforts in Afghanistan will take time to evolve and must marginalize the narcotics industry along with its widespread negative effects on Afghan society and the economy. Failure to do so spells defeat in all other efforts to produce a stable, secure, and prosperous Afghanistan. In pursuing this strategy, it is imperative that all aspects of COIN operations proceed in parallel with counternarcotics efforts to have any chance of success in solidifying the foundations necessary for a successful, free, and democratic Afghan state.

This paper will focus on the complex links of the narcotics industry and how they affect the endeavor to defeat the ongoing insurgency in Afghanistan. It will illustrate how actions necessary to stabilize Afghanistan are dependent on marginalizing narco-criminal influences. The paper explains the linkages between narcotics and the insurgency as well as other aspects of insecurity and instability. It also addresses the Afghan judicial system as it relates to controlling narcotics and promoting prosperity. Finally, the paper discusses economic alternatives and livelihoods as they pertain to eradicating opium to improve stability and security of the state and the region.

³ Ibid., 6.

II. The State of Afghanistan

Present day Afghanistan is one of the world's poorest and most diverse countries. It is an arid, mountainous, land-locked country in central Asia, divided by the Hindu Kush Mountains, struggling to support a population of 33 million people.⁴ The country is roughly the size of the state of Texas at nearly 650,000 km².⁵ Afghanistan is an ethnically mixed region, the result of cultural intermingling along historical overland trading routes, forcible integration, and refugee migration from invasions and war. Its cultural and economic diversity varies immensely by region and population density.⁶

Many factors compound the narcotics problems currently faced in Afghanistan. The unique terrain, climate, and soil composition of the region limit agricultural output and the availability of successful crops. Energy resources, precious metals, and gemstones are abundant in the region yet remain untapped. Education and employment are extremely limited for most citizens, and offer minimal opportunity for personal and social advancement. Trade development and technological innovation are nearly nonexistent due to security and stability concerns. For the progress necessary to overcome narcotics to occur, all these factors must be addressed.

⁴ CIA World Factbook, "Afghanistan," Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/af.html> (accessed October 12, 2008). The population of 33 million is a July 2008 estimation.

⁵ Ibid.

⁶ UN Office on Drugs and Crime, *Afghanistan's Drug Industry: Structure, Functioning, Dynamics, and Implications for Counter-narcotics Policy*, Edited by Doris Buddenberg and William A. Byrd, UNODC (New York, 2006), 56.

Due to the rugged mountains and compartmentalization of the region, arid climate, and constrained water resources, agricultural capacity is limited despite the size of the country. Only four percent of the country is irrigated land and much of the established infrastructure for irrigation remains in poor condition or badly damaged from the Soviet invasion and occupation.⁷ Despite the terrain and limited water resources, roughly 80 percent of the Afghan labor force is dedicated to agriculture.

Soil degradation poses great concern due to this heavy reliance on agriculture. Continuous land use, lack of fertilizer, and poor crop management have heavily degraded the land capable of supporting agriculture while domestic animals overgraze non-producing land. This combination produces extensive soil erosion, removing nutrient-rich topsoil needed for effective growth. With the limited land available for farming, some farmers grow multiple crops on the same piece of land where climate conditions permit. The options for successful agricultural crops are quite limited. The most common legitimate crops are wheat, barley, fruits, and nuts, with nuts and barley most prevalent in the driest regions, and fruits and wheat in the regions with higher rainfall or irrigation.⁸ Wheat remains the primary alternative crop to opium because it is not as perishable as other forms of produce and can accommodate the long transit times to market. Nevertheless, opium remains supreme as it produces high yields under the extreme climate conditions and degraded soil composition.

The availability of energy resources—electricity, coal, petroleum, and natural gas—also pose a unique problem for Afghanistan even though the country possesses resources

⁷ CIA World Factbook, “Afghanistan.”

⁸ Ministry of Agriculture and Livestock in Afghanistan and ICARDA, “A Code-of-Conduct Workshop,” International Center for Agriculture Research in the Dry Areas, <http://www.icarda.cgiar.org/Afghanistan/workshop/guid33.htm> (accessed 10 January 2009).

exceeding domestic demand. Due to infrastructure limitations, war, and regional insecurity, these resources remain underutilized, despite that oil and natural gas are plentiful in the northern regions and were once heavily marketed and exported in the 1970s. Through the ensuing period of conflict, the practical destruction of the energy and transportation infrastructures severed these exports and devastated production capability. Electricity is extremely limited throughout most of the country, with only six percent of the population having access.⁹ Without ready access to electricity, oil, or natural gas, extremely cold winters force a reliance on trees and dung for heat, light, and shelter. As such, deforestation is increasing as trees remain the primary means for providing these greatly needed energy resources.

The citizens of Afghanistan struggle for basic survival needs, with security concerns plaguing the population and fledgling government. Crime, kidnappings, and attacks are rampant and on the increase.¹⁰ The average life expectancy is only 44 years due to the impoverished lifestyle and severely limited access to modern healthcare.

Beyond survival needs of citizens lies the need for social advancement. Education offers finite opportunities for improvement due to low literacy rates, few institutions, locations, and limited transportation capabilities. The literacy rate of the country is just over 28 percent, with males making up the vast majority of the nation's literate populace. While male children average 11 years of education, females average only four years of schooling.¹¹

⁹ Larry P. Goodson, "Afghanistan in 2004: Electoral Progress and Opium Boom," *Asian Survey* 45, No. 1 (January/February 2005): 92.

¹⁰ International Council on Security and Development, *Struggle for Kabul: The Taliban Advance*, ICOS (London, 2008), 6.

¹¹ CIA World Factbook, "Afghanistan."

Many rural areas do not have practical access to schools and students do not have available transportation to attend. The safety of schools and roads is also questionable, with insurgents utilizing them as easy targets. In 2007, there were 228 reported attacks on educational institutions. In September 2007 alone, officials closed 200 schools in five provinces for security-related threats.¹² The Taliban killed scores of teachers including two women and destroyed 100 schools in 2006.¹³ With such high poverty levels and limited educational opportunities, children typically begin working at early ages to provide assistance to family income. Based upon these considerations, improved education offers restricted opportunities for advancement of the overall Afghan social condition.

Poverty and employment are major concerns for most families, especially in rural areas where the average per capita annual income is just \$800 per year and unemployment rates soar beyond 40 percent.¹⁴ Unemployment affects not only poverty rates, but also security and the country's economic and social growth. Unemployment creates bored, angry individuals lacking purpose—ideal recruits for both insurgent and criminal elements. Studies show there is a direct correlation between crime and poverty.¹⁵ More gainful employment opportunities would afford citizens' "ownership" in the country, giving those who might join insurgent and criminal groups an economic stake in the security and stability of *their* country.

¹² UN Children's Fund, "Conflict Threatens Access to Children by Humanitarian Organizations in Afghanistan," UNICEF, http://www.unicef.org/infobycountry/afghanistan_44707.html (accessed 13 August 2008).

¹³ Hindustan Times, "2006: Year of Bloodshed in Afghanistan," RAWA.org, http://www.rawa.org/2006_worse.htm (accessed February 26, 2009).

¹⁴ CIA World Factbook, "Afghanistan."

¹⁵ George Saridakis and Hannes Spengler, "Crime, Deterrence and Unemployment in Greece: A Panel Data Approach," DIW Berlin, *German Institute for Economic Research Discussion Papers* (Berlin, January 2009), 1.

Expanded access to markets might help alleviate these conditions. Unfortunately, international and national trade throughout Afghanistan is nearly nonexistent—constrained by poor roadways, few navigable waterways, and the lack of rail service. The existing transportation infrastructure is in great need of overhaul with road conditions poor and hazardous for travel. Of the 42,150 km of roads in Afghanistan, only 12,350 km, or 29%, of them are actually paved.¹⁶ Additionally, security on these roadways is marginal, as the Taliban and other insurgent and criminal elements have been increasing attacks on roads even around the capital city of Kabul. Of the four main thoroughfares out of Kabul, insurgent and criminal activities now frequently threaten three routes. As of 2008, the major roads to the west, south, and east from Kabul are no longer safe for travel, leaving only those to the north free of Taliban activity, thus limiting the potential for effective commerce.¹⁷

Communication capabilities have dramatically increased in Afghanistan, but are still very immature compared to western standards. Lack of technology and infrastructure impede development of banking, commerce, and employment opportunities. Telephone access has notably improved, with 16 percent of the population now having access to mobile cellular service. However, only one percent of the population has landline capability, constraining global business transactions and computer data transfer capability.¹⁸ Additionally, only two percent of the populace has access to the internet. Since the fall of the Taliban, access to communications and news via television and radio has now improved with 26 radio stations

¹⁶ CIA World Factbook, “Afghanistan.”

¹⁷ International Council on Security and Development, “Struggle for Kabul,” 6.

¹⁸ Afghan-American Chamber of Commerce Report on Meetings With Afghan Entrepreneurs, *Doing Business in Afghanistan*, AACC (Kabul, December 2002), 1.

and seven television stations currently operating throughout the country.¹⁹ Although these still represent only marginal capacities by western standards, the increases in the communication sector are necessary to promote security if Afghanistan hopes to see the emergence of a viable licit economy.

As envisioned in the ANDS, broader development is progressing through infrastructure improvement, limited private sector investment, and world partner financial support. However, alternative livelihoods and employment opportunities continue to lag. And yet, alternative livelihoods are essential to sustainable economic development and increased financial viability of the country. Without these developments, the people of Afghanistan will remain reliant on narcotics for livelihoods and income—inviting insurgency, terrorism, corruption, crime, insecurity, and instability throughout the region.

¹⁹ CIA World Factbook, “Afghanistan.”

...leaving aside 19th century China, no country in the world has ever produced narcotics on such a deadly scale.

—Kenneth Katzman, *Afghanistan: Post-War Governance, Security, and U.S. Policy*

III. Narcotics

Overview

Opium production has been prevalent in Afghanistan for decades, but it has further diversified and integrated since the fall of the Taliban. Major production dates back to the 1950s, when the Iranian Shah banned poppy cultivation in Iran after addicts surpassed the one million mark.²⁰ The Iranian ban effectively displaced opium production across the border into Afghanistan. Additionally, the Soviet occupation further contributed to the explosion of production by ruining irrigation systems, destroying food crops, nullifying energy production capabilities, preventing the civil capacity to establish law and order, and repressing legitimate commerce and banking. Agriculture capabilities suffered and by 1987, agricultural output was only one third of that before the Soviet invasion in 1978. So, with 70 to 80 percent of the population's livelihood being tied to agriculture, Afghans turned to the one profitable, well-adapted crop that thrived in the area—the poppy.²¹

In the years since the fall of the Taliban, poppy production has increased and has become even more profitable. Despite the fact that Islamic Law forbids opium production and trade, it is presently the sole means for many Afghan farmers to provide for their families. The drug industry is so economically diverse that not only peasant farmers but

²⁰ Felbab-Brown, "Kicking Opium Habit?" 128.

²¹ Julie Hyman, "Voucher Program for Afghan Farmers Encourages Agriculture," America.gov, <http://www.america.gov/st/peacesec-english/2008/June/20080616164339mjnamyh0.5899774.html> (accessed July 20, 2008).

wealthy landowners, creditors and insurgents, as well as political figures profit from the industry and help to facilitate its continuance.²² The vast involvement by all social classes in narcotics clearly portrays the difficulty in marginalizing the industry.

The heavy reliance on narcotics for income undermines stability of the country and provides insurgent and terrorist element funding. Financial potential invites other diverse criminal elements to migrate to the region to participate. Huge profits encourage corruption and bribery throughout the social and civil institutions of the country, and limit the potential effectiveness of governance and the rule of law. Vast sums of money incite criminals and insurgents to challenge security and legal authorities in an attempt to continue narcotics activities and increase income.

The poppy provides abundant cash that is incomparable in profits to any traditional crop. The World Bank estimates that opium cultivation can generate at least 12 times the income as wheat, the main alternative crop.²³ In addition, opium is relatively drought-resistant and grows reasonably well in most soil conditions. Opium poppy has an annual growing cycle that spreads the farmer's workload throughout the year and provides permanent employment for the farmers themselves as well as a substantial itinerant workforce during the harvest season. Planting normally occurs between September and December, and the plant typically flowers after three months. After flowering, workers lance the plant's seed capsule for its milky sap known as opium. This typically occurs between

²² UN Office on Drugs and Crime, *Afghanistan's Drug Industry*, 5.

²³ David Bosco, "Afghan Poppycock: Hamid Karzai's Halfhearted Jihad," *Slate*, <http://www.slate.com/id/2118915> (accessed August 20, 2008).

April and July. This tar-like resin is then stored in bulk or sold in its raw form as a drug, or chemically distilled into heroin, an even more profitable drug.

In comparison to wheat and grain, dried opium has a relatively long shelf life and is not nearly as susceptible to moisture, and therefore can be stored for longer periods than the normal span of cereals or other produce. This allows for storage when market prices drop. If supply is high, farmers and traffickers will wait to sell their product until supply levels drop and prices increase. Dried opium allows for easy shipment in comparison to other more perishable goods along the poor roads and storage facilities in Afghanistan, as the remoteness of rural farmlands in conjunction with the poor road structure causes long transit times to markets.²⁴ In many locations it is not uncommon for crops to take three or four days to arrive at market. Opium can withstand these long transportation times, perishable fruits and vegetables cannot.

In 2005, Afghanistan produced more than 80 percent of the world's opium.²⁵ The 2007 levels showed a slight increase to 82 percent and current trends for 2008 suggest nearly the same.²⁶ High profit margins, demand, and weak governance are the driving factors for these production rates which translate to huge economic potential in comparison to licit economic alternatives. The current GDP of Afghanistan is \$7.5 billion, of which \$4.0 billion comes from exported opiates.²⁷ Furthermore, Afghanistan opium purity and morphine content are higher than other top producing countries such as India, Australia, and Turkey. In

²⁴ UN Office on Drugs and Crime, *Afghanistan's Drug Industry*, 26.

²⁵ Bosco, "Afghan Poppycock."

²⁶ UN Office on Drugs and Crime, *2008 World Drug Report*, Edited by Sandeep Chawla, UNODC (New York, 2008), 225.

²⁷ Ibid.

Southeast Asia, 10 kg of opium produces one kilogram of heroin, whereas Afghan opium requires only 6-7 kg.²⁸ This results in greater heroin production from less opium, and therefore greater profits. The alarming trend of increased annual opium production demonstrates the necessity to instill control measures within the country before the situation becomes unrecoverable.

In efforts to decrease the production of opium, Afghan and coalition partners have aggressively targeted the narcotics industry. In the process, failure is surpassing progress. In 2005, the combined effects of eradication efforts and drought resulted in a 21 percent decrease in the total area of poppy cultivation.²⁹ However, this reduction reversed itself in 2006 when farmers who previously ceased growing poppy received no compensation and, having no satisfactory economic alternatives, returned to production of poppy. Figure 1 depicts the progressive increase in opium production since 1996.

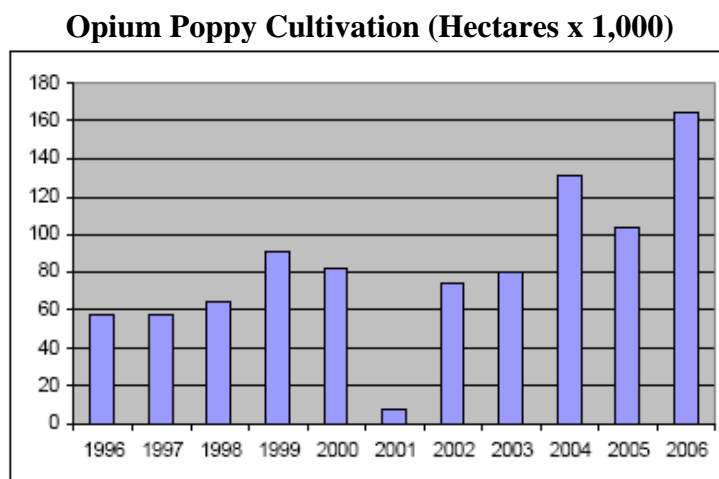


Figure 1. Poppy Cultivation in Afghanistan 1996-2006³⁰

²⁸ UN Office on Drugs and Crime, *Afghanistan's Drug Industry*, 26.

²⁹ Vanda Felbab-Brown, "Afghanistan and Opium," Belfer Center, http://belfercenter.ksg.harvard.edu/publication/1492/afghanistan_and_opium.html (accessed December 8, 2008).

³⁰ Senlis Council on Afghanistan, *Countering the Insurgency in Afghanistan: Losing Friends and Making Enemies*, London: Senlis Afghanistan, February 2007), 81.

Although the published statistics vary by report and agency, the consensus is that the 2006 opium crop was the largest in recorded history with 2007 and 2008 crops projected to be even greater. The 2006 crop covered 165,000 hectares or more than 650 tons of heroin—enough to supply the world consumption for more than a year—and the U.S. consumption for more than 43 years!³¹ In a 2003 study, opium cultivation covered nearly 3 percent of all arable land.³² Increased production translates to lower market prices, increased purity, more users and addicts, more drug-related deaths, and increased insecurity.³³ Europeans face the greatest concerns from this narcotics industry trend as Afghan opium accounted for nearly 95 percent of the heroin entering the U.K. in 1995.³⁴ Although Afghan opium does not presently constitute a major U.S. threat, if production trends continue to escalate at the current rate, U.S. and global problems are likely to emerge.

Decades of war and instability have devastated the Afghan financial and banking industry, depressed legitimate agricultural output, and driven Afghans to opium as their major domestic product and source of capital. Additionally, opium is widely used as a form of currency for purchasing subsistence items, securing loans, and for paying taxes, extortion, and bribes. The long shelf-life makes it an ideal crop for these purposes. It is non-perishable with no special storage requirements, can be stored for many years, and held in reserve as

³¹ UN Office on Drugs and Crime, *U.S. Counternarcotics Strategy for Afghanistan*, Compiled by Thomas A. Schweich, UNODC (New York, August 2007), 13.

³² Gen (ret) Barry R. McCaffrey, “Afghanistan’s Newest Challenge: U.S. Effort Will Fail Unless Link Between Terror, Drugs Overcome,” *Armed Forces Journal* 141, no. 6 (January 2004): 10.

³³ UN Office on Drugs and Crime, *U.S. Counternarcotics Strategy Afghanistan*, 13.

³⁴ Program on New Approaches to Russian Security, PONARS Policy Memo No. 393, *Illicit Drug Trafficking and Islamic Terrorism as Threats to Russian Security: the Limits of the Linkage*, prepared by Ekaterina Stepanova, December 2005: 170.

market conditions fluctuate.³⁵ Opium also provides a compelling economic alternative and capability to overcome the inadequate banking and financial industry necessary for licit agricultural success.

Although estimated that only 12.6 percent of Afghans are directly involved in drug cultivation, the industry accounts for more than 53 percent of the Afghan gross domestic product.³⁶ However, these estimates only account for those actually growing opium, and do not include the temporary labor employed in the growth, weeding, harvesting, trafficking, or those deriving their incomes from trade, construction, and support activities financed by the narcotics revenue.³⁷ So, while the published narcotics employment numbers appear low, reality illustrates that employment is intricately entwined with the cultivation and production of narcotics.

Current Counternarcotics Operations

The narcotics industry undermines security and the government's ability to foster economic growth, political stability, and the rule of law. Narcotics promote insecurity through insurgent and terrorism funding and social decay. In efforts to increase security of government and the populace, operations have targeted opium eradication in many regions of the country. Progress in recent years has reduced the reliance on poppy as an agricultural product in the vast majority of the country. The northern half of Afghanistan has seen the most success and may be near poppy-free by 2009. As of 2007, there were 13 poppy-free

³⁵ UN Office on Drugs and Crime, *The Opium Economy in Afghanistan: An International Problem*, UNODC (New York, 2003), 113.

³⁶ UN Office on Drugs and Crime, *U.S. Counternarcotics Strategy Afghanistan*, 13; UN Office on Drugs and Crime, *2008 World Drug Report*, 225.

³⁷ Center for American Progress, Center on International Cooperation, New York University, *Road to Ruin: Afghanistan's Booming Opium Industry (October 7, 2004)*, by Barnett R. Rubin, CIC (New York, 2004): 7.

provinces and in November 2008, this number increased to 18 provinces.³⁸ Most farmers in Afghanistan's mountainous North and East who once grew poppy have now ceased. Security, governance, and improved economic development have been the catalysts in this transformation.³⁹

One successful example has been Nangarhar Province in Northeast Afghanistan. As illustrated in Figure 2, Nangarhar was a province that saw a sharp increase in opium production from 2006 to 2007. It was formerly the second largest opium producing province in Afghanistan.⁴⁰ However, as of 2008, assessments showed Nangarhar as a poppy-free province. Strong governance, education, alternative development assistance, and security enabled this success.

³⁸ Katzman, "Afghanistan: Post-War Governance," 19.

³⁹ U.S. Department of State, U.K. Foreign and Commonwealth Office. "Fighting the Opium Trade in Afghanistan: Myths, Facts, and Sound Policy (March 11, 2008)," U.S. Department of State, http://kabul.usembassy.gov/media/afghan_opium_myths_and_facts-final.pdf (accessed 12 November, 2008).

⁴⁰ Development Alternatives Inc Success Stories, "Afghans Rebuild Their Country and Their Lives," DAI, http://www.dai.com/pdf/1211313070_Afghans_Rebuild.pdf (accessed February 22, 2009).

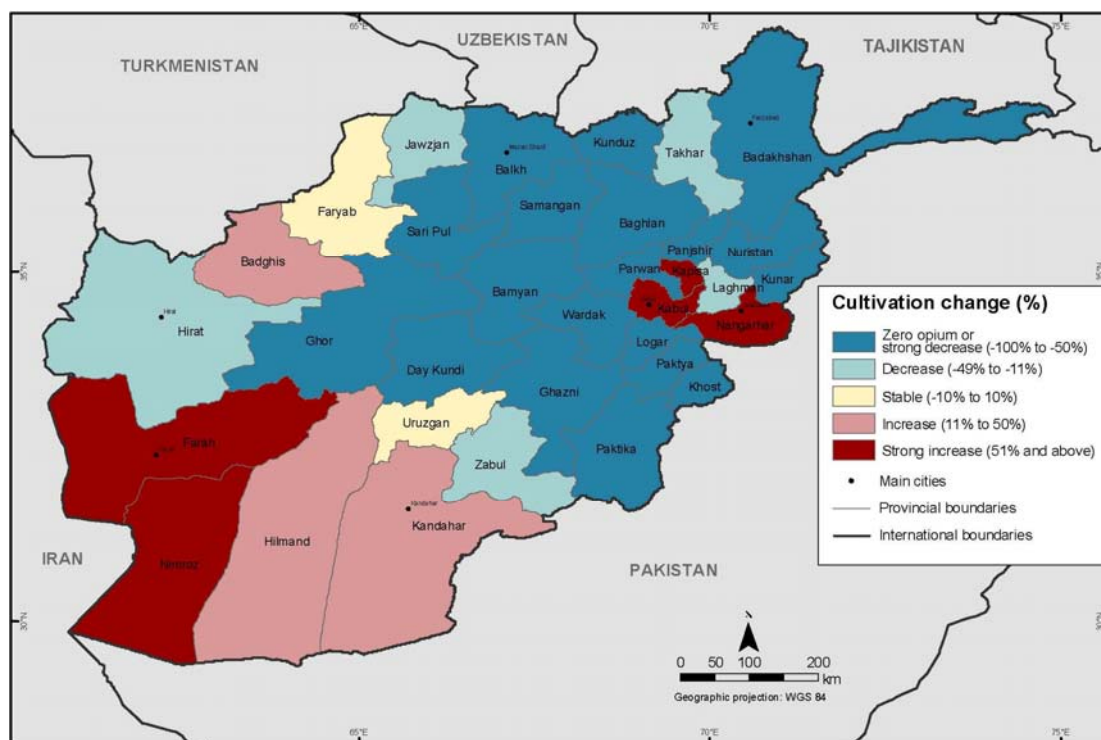


Figure 2. Opium poppy cultivation change in Afghanistan (by Province) 2006-2007⁴¹

The United States Agency for International Development (USAID) in conjunction with other worldwide organizations has assisted in eradication through programs and monetary grants, both critical to development. In recognition of remaining poppy-free, the Good Performers Initiative Fund awarded the Nangarhar Province a \$10 million grant. This money is further increasing development by funding construction of three desperately needed watershed dams for agricultural irrigation.⁴² It is grants and programs such as these that enable farmers to plant and grow alternative crops. As a result, it is wheat, not poppy, that has successfully taken over the Nangarhar countryside. Further cash-for-work programs were established which rehabilitated 900 km of irrigation canals, erected flood-protection walls,

⁴¹ UN Office on Drugs and Crime, *Afghanistan Opium Survey 2007 Executive Summary*, UNODC (New York, August 2007), 24.

⁴² U.S. Department of State, Embassy of the United States, "Good Performers Initiative Awards," DOS, http://kabul.usembassy.gov/press_release_270808_1.html (accessed February 27, 2009).

and reestablished roads to reconnect citizens with markets and commerce centers. Vocational and skills training programs have educated citizens in better farming practices, food processing capabilities, and textile industry potential.⁴³ Food processing (canning, pickling, drying) mitigates the poor road infrastructure's impact on the transit of perishable goods to market. These programs have increased the overall productivity of licit agriculture as well as offered additional employment opportunities besides agriculture.

In sharp contrast, the southern provinces, particularly Helmand Province, have seen poppy cultivation rate increases that more than offset the successes to the north. In 2006, opium production in Helmand increased by 162 percent.⁴⁴ Helmand Province now produces about 65 percent of Afghanistan's total poppy output.⁴⁵ More disturbing is that 70 percent of this cultivation has emerged in the past three years where many farmers currently growing poppy had not historically grown it. In fact, more than half of the current Helmand farmers only began growing poppy since 2001 and the fall of the Taliban.⁴⁶

The increased violence rates in the south suggest a direct correlation between narcotics and violence in Afghanistan. In 2008, 98 percent of the Afghanistan opium originated in just seven provinces: Helmand, Kandahar, Uruzgan, Day Kundi, Zabul, Farah, and Nimroz. Not coincidentally, these provinces are where the majority of violence and insurgent operations occur. Further, it appears that violence has continued to escalate as cultivation increases (Figure 3 and 4) and coalition and security forces have suffered close to

⁴³ Development Alternatives Inc Success Stories, "Afghans Rebuild Their Country."

⁴⁴ Gretchen Peters, "Taliban Drug Trade: Echoes of Columbia," *Christian Science Monitor*, November 21, 2006, available from <http://www.csmonitor.com/2006/1121/p04s01-wosc.html> (accessed January 29, 2009).

⁴⁵ Katzman, "Afghanistan: Post-War Governance," 19.

⁴⁶ U.S. Department of State, U.K. Foreign and Commonwealth Office, "Fighting the Opium Trade."

two-thirds of their combat deaths in these provinces.⁴⁷ In 2008, there were 78 deaths in these southern provinces, the majority of them Afghan National Police (ANP) forces killed by insurgents. In sharp contrast, only 19 ANP forces died in 2007.⁴⁸ These figures suggest a strong correlation between the cultivation and violence.⁴⁹

⁴⁷ Hayder Mili and Jacob Townsend, "Afghanistan's Drug Trade and How it Funds Taliban Operations," *Terrorism Monitor* 5, no. 9 (May 10, 2007): 1.

⁴⁸ UN Office on Drugs and Crime, *Afghanistan Opium Survey 2008 Executive Summary*, UNODC (New York, August 2008), 20.

⁴⁹ Center for Advanced Defense Studies Director ate of Research Concept Paper, *Opium in Afghanistan: Lawlessness Thrives on Narcotics Trade*, Center for Advanced Defense Studies, http://www.c4ads.org/files/cads_report_afgnarco_jun06.pdf (accessed April 3, 2009). The decrease in 2005 cultivation was due to drought conditions in 2004 and crop rotation practices in efforts to increase yield.

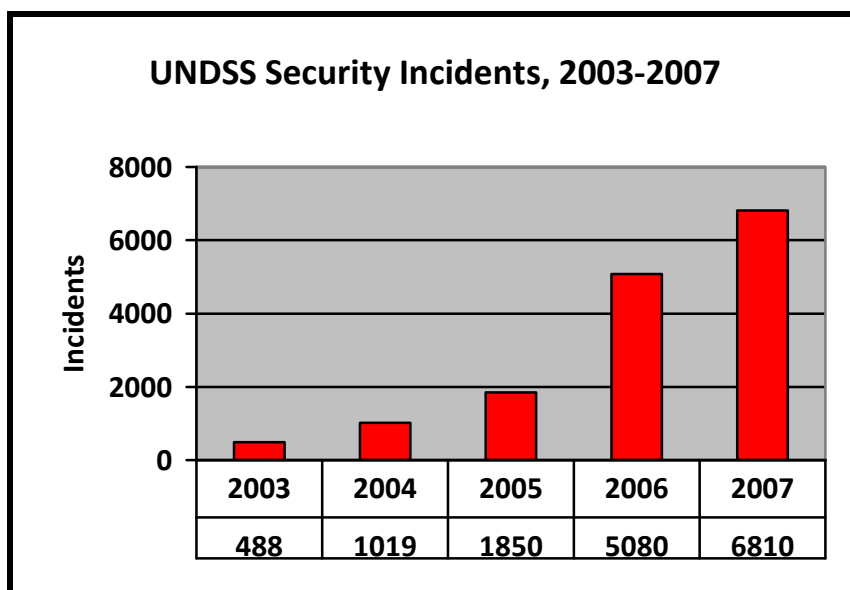


Figure 3: Number of Security Incidents, 2003-2007⁵⁰

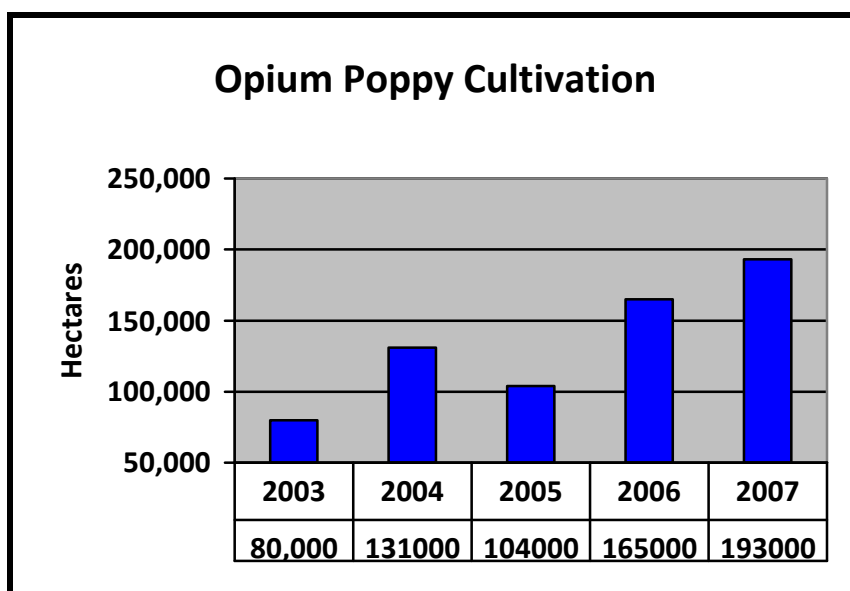


Figure 4. Opium Poppy Cultivation in Afghanistan (ha), 2003-2007⁵¹

Due to limited governmental resources and regional isolation of the southern provinces, the government can exert little control over the vast territory, leaving it vulnerable to narcotics cultivation. The U.N. Department of Safety and Security classifies Helmand,

⁵⁰ UN Office on Drugs and Crime, *Opium Survey 2008 Executive Summary*, 19.

⁵¹ Ibid., 3.

Kandahar, Uruzgan, Day Kundi, Zabul, Farah, and Nimroz Provinces' security conditions as high or extremely risky.⁵² The majority of permanent Taliban settlements are now located in these provinces. The United Nations Office on Drugs and Crime (UNODC) 2008 Opium Survey further correlated the violence and narcotics: "This geographical overlap between regions of opium and zones of insurgency shows the inextricable link between drugs and conflict. Since drugs and insurgency are caused by, and effect, each other, they need to be dealt with at the same time—and urgently."⁵³ Narcotics cultivation provides the funding to acquire forces and equipment necessary to sustain the insurgency. In return, the insurgency provides the instability, regional insecurity, microfunding, and physical crop security necessary to continue narcotics cultivation.

There is also legitimate cause for concern that narcotics will return in successfully eradicated regions. Recent studies show a trend in some provinces returning to opium production within two years of eradication. Areas with licit crop capabilities and alternative employment opportunities have been relatively successful in remaining opium-free, at least temporarily, as the current success in Nangarhar illustrates. However, in previous attempts to reform without alternatives, even Nangarhar faltered. Nangarhar had seen a 96 percent decrease from 2004 to 2005 in cultivation, but regressed in 2006 after incentives evaporated, enforcement weakened, and opium market prices rose.⁵⁴ In areas without employment and alternative opportunities, success has been difficult, as seen in Balkh Province in Northern

⁵² UN Office on Drugs and Crime, *Opium Survey 2008 Executive Summary*, 19.

⁵³ *Ibid.*, vii.

⁵⁴ UN Office on Drugs and Crime, *Afghanistan Opium Survey 2005*, UNODC (New York, November 2005), 4; UN Office on Drugs and Crime, *Afghanistan: Opium Rapid Assessment Survey 2006*, UNODC (New York, February 2006), 9.

Afghanistan. In 2005, Balkh eradicated over 27,000 acres of crops to become poppy-free, and remained that way through 2006. However, in 2007 it returned to narcotics—this time cannabis. In 2007, the province produced about 173,000 acres of cannabis. What is unique about this is that farmers are realizing cannabis has the potential to yield even greater profits than opium. Although less expensive by weight than opium, cannabis produces twice the quantity of drug per acre and is cheaper and much less labor intensive to grow.⁵⁵ Balkh clearly demonstrates that without alternative development and income potential, eradication cannot successfully occur.

Another attractive option for these otherwise discontented, jobless individuals facing the prospects of eradication is to join ranks with insurgents to supplement their illicit livelihoods. Based upon their diverse resources, much of them generated by the poppy industry itself, the Taliban can offer salaries incomparable to legal farming, police duty, or military service. As referenced by Figure 3, Taliban salaries dwarf that of many employment opportunities. Normal Taliban fighters are paid \$200-600 per month, almost four times that of soldiers and police officers.⁵⁶ It is believed that the Taliban now employ between 10,000 and 30,000 Afghans, and although most recruits do not share the fundamental values of the insurgents, financial incentives provide the Taliban easy recruits.

⁵⁵ Kirk Semple, "The War on Poppy Succeeds, but Cannabis Thrives in an Afghan Province," NewYorkTimes.com, <http://www.nytimes.com/2007/11/04/world/asia/04cannabis.html?scp=1&sq=The%20War%20on%20Poppy%20Succeeds,%20but%20Cannabis%20Thrives%20in%20an%20Afghan%20Province&st=cse> (accessed February 26, 2009).

⁵⁶ Senlis Council on Afghanistan, *Countering the Insurgency*, 38-39.

Salaries in Afghanistan: the Taliban as a competitive employer		
Profession	Average monthly earnings, from lowest to highest	
	Afghanis	USD
Workshop worker	1,125	\$23
Nurse	1,500	\$30
Teacher	2,500	\$50
Doctor	2,500	\$50
Afghan army soldier	3,000	\$60
Afghan police officer	3,000	\$60
School principal	3,000	\$60
Bazaar shopkeeper	3,000	\$60
Construction worker	4,500	\$90
Taliban fighter	20,000	\$400
Member of Parliament	40,000	\$800
Minister	50,000	\$1,000

Figure 5. Salaries in Afghanistan⁵⁷

Opium provides significant income potential for an impoverished agricultural society with few legitimate economic options, and so, eradication is a viable option only in conjunction with viable economic alternatives. In fact, without effective alternative livelihoods in place, eradication may even serve only to undermine state building and broader development.⁵⁸ Security, strong governance, and balanced economic development are critical to promoting these alternatives in a way that will progressively diminish the narcotics industry that provides insurgents, criminals, and terrorists the necessary income to thrive while providing citizens a means to succeed.

⁵⁷Ibid.,72.

⁵⁸ World Bank and Department for International Development, *Afghanistan: Economic Incentives and Development Initiatives to Reduce Opium Production*, World Bank and DFID (Washington DC, February 2008), 4.

A nexus between narcotics and terrorists increases the resources available to the extremists...And combined with a lack of development of government, allow Islamic extremists to turn poisonous ideology into a global movement.

--Robert M. Gates, Munich Conference on Security Policy

IV. Narcotics Links

Although not the primary objective of Afghan citizens involved in the narcotics industry, drugs are fueling the Global War on Terrorism and the Afghan insurgency. The assistance provided to insurgent operations from narcotics is twofold: there is the financial backing provided by narcotics revenue as well as social decay and the reduction of the government's capacity for control. The bottom line is that insurgent fighters and terrorists see narcotics production as both a major source of revenue and a tool in their war against the liberal democracies of the West.⁵⁹

Financing

Financial support to anti-governmental organizations and terrorism is the predominant link provided to the ongoing insurgency by the Afghan narcotics industry. Without this financial backing, insurgents cannot recruit and provide personnel and equipment to continue operations. Although most high-level terrorist and insurgent leaders do not participate directly in narcotics, evidence shows that many do have links to the narcotics chain in Afghanistan. The U.S. Drug Enforcement Agency (DEA) has received information that Osama bin Laden himself has been involved in the financing and facilitation of heroin-trafficking activities.⁶⁰ The revenue generated for the insurgents is enormous.

⁵⁹ McCaffrey, "Afghanistan's Newest Challenge," 11.

⁶⁰ Ibid., 10.

General McKiernan, Commander of the International Security Assistance Force (ISAF) in Afghanistan, recently acknowledged that the Taliban generate at least \$100 million annually from drug trafficking.⁶¹ The UNODC estimates that the revenue is even higher stating that, “Opium farming may have generated \$50-\$70 million tax income in 2008. Furthermore, opium processing and trafficking may have raised an additional \$200-\$400 million in income.”⁶² This substantial revenue gives insurgents a financial advantage when competing with licit employment for recruits.

The revenue generated for insurgents does not typically come from the direct sale of narcotics. Opium production taxes, distribution taxes, extortion, financing, and shipment protection fees account for the largest portion of income the Taliban and other insurgents generate from the opium trade. These groups commonly levy a 10 percent tax rate on production; however, there have been reports of up to a 40 percent tax rate, which would equal almost half of the farmer’s harvest.⁶³ These fees represent both required payment for crop protection as well as extortion for ensuring family safety and security. Farmers and their families are often threatened and forced to support the insurgents through financial support, growing poppy, or providing bodies for insurgent activities. Failure to comply with threats results in violence or crop destruction. Likewise, Taliban also threaten to punish those who

⁶¹ James Gordon Meek, Daily News Washington Bureau, “Taliban’s Yearly Dope Take is Put at \$100M,” NY Daily News, http://www.nydailynews.com/money/2008/10/01/2008-10-01_talibans_yearly_dope_take_is_put_at_100m.html (accessed November 22, 2008).

⁶² UN Office on Drugs and Crime, *Afghanistan Opium Survey 2008*, UNODC (New York, November 2008), 2.

⁶³ Antonio Maria Costas, “UNODC Meeting of the Joint Coordination and Monitoring Board,” UNODC, <http://www.unodc.org/unodc/en/about-unodc/speeches/2008-02-06.html> (accessed December 5, 2008); Mili and Townsend, 2.

choose to voluntarily eradicate—seeing this as a potential loss of income. The focus of these threats is often not just individual farmers, but entire local populations.

In addition to taxes and extortion, insurgents are often involved in the Afghan “saalam” loan system. This system involves financing initial planting costs and providing physical crop security from governmental eradication and other criminal elements in exchange for payment from farmers at harvest time. In return for loans and promised security, farmers agree to grow the opium and provide portions of the harvest as payment. Many farmers have no alternative banking systems from which to obtain the loans needed for seed, fertilizer, labor, supplies, and funding necessary to support families and therefore must rely on the salaam system. Droughts and seasons of reduced yield force additional indebtedness and farmers often become financially obligated in an evolving cycle of increased debt from which they cannot recover.

The Taliban and insurgents levy extortion, taxation, and protection fees on narcotic traffickers as well. Traffickers are required to pay fees or provide product in exchange for convoy guards and protection from other criminal elements in the transportation phase along drug trade routes.⁶⁴ Insurgent controlled toll checkpoints on borders and rural areas provide further revenues. With few alternate transportation routes throughout much of the country and without Taliban protection, traffickers fall easy prey to both criminal elements and insurgents.

Although the majority of financial links involve taxation, extortion, financing, and money laundering, there are isolated cases of insurgent and terrorist groups working either in

⁶⁴ Christopher M. Blanchard, “*Afghanistan: Narcotics and U.S. Policy*,” CRS Report for Congress (September 14, 2007), 15.

the direct sale of narcotics or in close conjunction with narcotics dealers. In 2003, the U.S. Navy intercepted two drug shipments at sea and detained the merchant crews which included individuals directly linked to al-Qaeda.⁶⁵ In December 2007, ISAF troops operating in the Taliban stronghold of Musa Qala seized 11,000 kg of opium and 32 kg of heroin, along with drug processing equipment and ledgers.⁶⁶ These events highlight that, although rare, insurgent groups will deal directly in the narcotics trade if the opportunity and necessity arise.

The narcotics industry funds a significant portion of the insurgent operations. This income provides a sound financial base to support recruiting. The salaries offered dwarf many legal employment opportunities. And even if only employed for a few months, the salaries offered by insurgents can easily surpass the annual salaries of most Afghans. Large narcotics revenues and greed encourage bribery and corruption at all levels in such an impoverished country. This promotes the instability and insecurity needed to continue the insurgency.

Social Decay

The social decay brought on by narcotics poses a less focused but more powerful, devastating benefit for insurgents. U.S. Drug Czar, General (ret) McCaffery clearly portrayed the pervasive social influence of narcotics when he stated, “Terrorist groups believe they can weaken their enemies by flooding their societies with addictive drugs.”⁶⁷ The benefits

⁶⁵ Rowan Scarborough, “U.S. Lacks Plan to End Afghanistan Drug Trade,” *Washingtontimes.com*, <http://www.washingtontimes.com/news/2004/jun/01/20040601-123212-4071r/> (accessed September 22, 2008); BBC One-Minute World News, “US Seizes Al-Qaeda Drugs Ship,” BBC News, http://news.bbc.co.uk/2/hi/middle_east/3335183.stm (accessed February 12, 2009).

⁶⁶ U.S. Department of State, U.K. Foreign and Commonwealth Office, “Fighting the Opium Trade.”

⁶⁷ McCaffrey, “Afghanistan’s Newest Challenge,” 11.

terrorists and insurgents receive are the moral and physical destruction of people, culture, and infrastructure across civil society while also creating a health crisis and governmental insecurity. Anti-governmental groups deem this insecurity vital as they vie for power. Narcotics provide social instability that need not be generated by the insurgents themselves. These effects allow insurgents to focus directly on attacks and recruiting, while the destructive nature of narcotics produces a large addict population in the targeted societies.

Even though Islamic Law prohibits the production, distribution, and use of narcotics, the use of opium, heroin, and hashish is becoming increasingly common in Afghan society. More than 1,250,000 Afghans, or 3.8 percent of the total Afghan population, now consumes drugs; even more alarming is the fact that there are more than 920,000 Afghan drug addicts.⁶⁸ The opiate usage rate in the Afghanistan populace is 1.4 percent. Although lower than the 2.8 percent of neighbouring Pakistan, it is more than three times the global rate of 0.39 percent and more than doubles that of the United Kingdom, Western Europe's highest user.⁶⁹ More disturbing is the number of children addicted to narcotics, as the UNODC estimates that 60,000 children under age 15 are addicted, including over 5,000 infants.⁷⁰ As drug problems increase, so do the security, crime, and stability issues. The health related issues associated with drug use (HIV/AIDS, hepatitis, etc.) are further complicated when treatment and medical facilities are largely unavailable. Addicts economically and socially drain society and its resources, reducing the capability for prosperity and growth.

⁶⁸ Islamic Republic of Afghanistan, Ministry of Counter-Narcotics, *National Drug Control Strategy*, (Kabul, 2006), 13. This 920,000 figure includes all types of drugs, not just opium. This would result in a problem drug use rate of approximately 3 percent, where opium usage rates are only 1.4 percent.

⁶⁹ UN Office on Drugs and Crime, *2008 World Drug Report*, 55-56.

⁷⁰ Associated Press, "Drug Addiction on Rise With Afghan Kids," Revolutionary Association of Women of Afghanistan, http://www.rawa.org/opium_kids.htm (accessed February 26, 2009).

Furthermore, they menace national progress in that they do not participate in furthering society and the economy. The common use and addiction problems only strain the already limited resources in the Afghan society's efforts to control addiction problems.⁷¹

Security is paramount to overcome insurgents. However, no realistically sized security force can provide sustainable security unless Afghans marginalize the narcotics industry. If narcotics production continues, insurgents and terrorists will return. The narcotics trade and criminal opportunities provide for easy revenue and the instability needed for continued insurgent access. There are definite security implications resulting from the financing and social problems caused by an unchecked narcotics trade.

⁷¹ House Committee on International Relations, *Afghanistan Drugs and Terrorism and U.S. Security Policy*, 108th Cong., 2nd sess., 2004, 109.

V. Security

Overview

Security forces are crucial to providing safety and stability to Afghanistan. They target narcotics growth, production, and trafficking by upholding and enforcing the rule of law. A Congressional report from 2008 cited security as “a fundamental prerequisite for achieving economic and social development in Afghanistan.”⁷² The country faces a wide range of threats to achieving security to include violence, terrorism, and crime. These threats tightly interlink with the narcotics industry and are heavily reliant on it for financial support. Without effective forces to provide the needed security, there is no hope for the development of a successful Afghan state.

The Afghanistan National Army (ANA) and Afghanistan National Police (ANP) are critical components in controlling both narcotics and the insurgency. Through enforcement of narcotics laws and criminal prosecution, security forces attempt to control the narcotics industry. However, enforcement is effective only in conjunction with defeating the insurgents who benefit from the narcotics trade. Countering insurgents assists in controlling narcotics and decreases financing and extortion as opium crop security would diminish thereby allowing authorities to effectively target other narcotics industry and trafficking mechanisms. With the government controlling the narcotics trade, this source of insurgent funding would evaporate. To make this strategy a success, the government will have to ensure increased employment opportunities and alternative livelihoods for those abandoning narcotics.

⁷² U.S. Department of Defense Report to Congress, *Report on Progress Toward Security and Stability in Afghanistan*, June 2008: 33.

Without these key elements, the population will be further impoverished, unemployed, and disgruntled, looking to invoke revenge against authority.

As highlighted in section III of this paper, the security concerns remain greatest in the southern provinces where poppy cultivation thrives. These areas are also the main theater of combat operations. The violence is highly regionalized, with 70 percent of the violence occurring in only 36 of Afghanistan's 364 districts. Fortunately, these regions are sparsely populated and include only six percent of the country's population.⁷³ Although sparsely populated, these regions produce the majority of the nation's narcotics. Therefore, there is a desperate need for security to counter this violence as well as control criminal and narcotics influences in an effort to promote safety, legitimate prosperity, security, and stability.

Afghan National Army (ANA)

The ANA is critical to controlling insurgents and is therefore crucial to controlling the narcotics trade. The mission of the ANA is to provide peace, security, and stability to the country to enable the democratic government of Afghanistan to evolve.⁷⁴ The ANA, in conjunction with the ANP and the judicial system, helps in controlling the narcotics industry. The ANA has progressed dramatically for a country that has never really had a true professional military. The absence of any type of military power, less that of warlord militias, was one of the primary reasons for Soviet invasion in the late 1970s.⁷⁵ The military force that Afghanistan did possess in 1978 lacked quality and morale. Discipline amongst the ranks was

⁷³ Katzman, "Afghanistan: Post-War Governance," 23-24.

⁷⁴ Combined Security Transition Command Afghanistan, "Fact Sheet Afghan National Army," CSTC-A, <http://www.cstc-a.com/mission/AfghanistanArmyFacts.html> (accessed December 29, 2008).

⁷⁵ Stephen Cohen, "Building an Army for Afghanistan," Brookings Institution, http://www.brookings.edu/papers/2001/1215afghanistan_cohen.aspx?rssid=cohens (accessed February 15, 2009).

poor, with many conscripts forced into service and deserting prior to battle. For effective security and deterrence, the ANA must progress to a force of size and quality level capable of combating insurgents.

The ANA formed in December 2002 following the ousting of the Taliban regime. It included an initial force size of 1,700 soldiers and five battalions.⁷⁶ Since that time it has matured to a volunteer force of over 55,000, including five ground maneuver corps and one air corps composed of Soviet fixed-wing and rotary-wing aircraft. The ANA is now based in all regions of Afghanistan, with corps located in Kabul, Gardez, Kandahar, Herat, and Mazar-e-Sharif.⁷⁷ ANA retention rates have increased and the ANA is now a better trained, equipped, and disciplined force. The ANA composition, size, and effectiveness have matured dramatically since its inception and service is now “quite popular throughout most of Afghanistan.”⁷⁸

ANA recruiting is strong and the force has reached a reported strength of 72 percent, 57,793 (April, 2008) of the authorized 80,000 soldiers. This is a huge increase from the 2005 strength of 18,300.⁷⁹ In the year prior to March 2008, the ANA recruited 32,135 soldiers—an

⁷⁶ Afghanistan National Army, “Afghan National Army Fact Sheet,” Afghanistan Ministry of Defense, <http://www.mod.gov.af/> (accessed December 14, 2008).

⁷⁷ Combined Security Transition Command Afghanistan Mission, “Afghan National Army Fact Sheet,” Combined Security Transition Command Afghanistan, <http://www.cstc-a.com/mission/AfghanistanArmyFacts.html> (accessed April 3, 2009).

⁷⁸ Greg Bruno, “Afghanistan’s Struggling Security Services,” Council on Foreign Relations, http://www.cfr.org/publication/16691/afghanistans_struggling_security_services.html. (accessed December 2, 2008).

⁷⁹ U.S. Government Accountability Office, *Further Congressional Action May Be Needed to Ensure Completion of a Detailed Plan to Develop and Sustain Capable Afghan National Security Forces*, GAO-08-661 (Washington DC, June 2008): 19.

increase of nearly 40 percent.⁸⁰ Although the progress appears promising, the ANA still faces great internal struggles with issues of training, manning, leadership, funding, and equipment.

The ANA needs effective training to create a force capable of conducting operations without coalition support. They currently have 1,019 embedded trainers and their combat capability has increased drastically. However, the ANA has yet to achieve a fully capable force. In a U.S. Government Accountability Office (GAO) study released June 2008, of the 105 ANA units, the U.S. Department of Defense (DoD) assessed only two were fully capable of conducting their primary mission without any outside support. DoD assesses 36 percent of the units as capable of conducting their mission with routine international support. The remaining units are either only partially capable of conducting their mission, or not yet formed.⁸¹ These statistics demonstrate that coalition support and additional training are still necessary. Part of the problem is that embedded coalition trainers are at only 46 percent strength due to competing priorities for these forces in other areas of Afghanistan as well as those redirected towards the conflict in Iraq.⁸² There is an urgent need for mentors to provide the combat training the ANA is lacking.

Internal personnel and manning problems have improved since the ANA's inception but are still restricting progress. Desertion rates have dropped below 3,000 members annually and absent without leave (AWOL) rates have decreased three percent over the past year.⁸³ Recruiting has been successful, but re-enlistments are struggling to meet the demands

⁸⁰ U.S. Department of Defense Report to Congress, *Report on Progress Toward Security and Stability in Afghanistan*, June 2008: 33.

⁸¹ U.S. Government Accountability Office, *Further Congressional Action Needed*, 20.

⁸² *Ibid.*, 25.

⁸³ Afghanistan National Army, "National Army Fact Sheet."

necessary to increase force size. Although ANA service remains popular and respected by most citizens, many service members are opting out after their enlistments expire. The typical ANA enlistment is three years. Just over half, 53 percent, of the members eligible for re-enlistment did so in 2007.⁸⁴ Improvements in personnel management are fundamental to force growth and sustainment with the needed experience and strength capable of providing the needed security.

Desertion, absenteeism, and drug abuse add to low reenlistment rates to partially offset recruiting success. A February 2008 DoD analysis found that about 20 percent of the assigned ANA combat personnel were not present for duty at any given time. Some of these personnel were legitimately absent, while others were AWOL. The AWOL rates in the majority of the units average between 8 and 12 percent, although some are as high as 17 percent.⁸⁵ These rates are highest in those units with the greatest contact with insurgents and anti-governmental forces.⁸⁶ Members often go AWOL to deliver financial support to their families residing in other regions of the country due to the limited banking infrastructure. The lack of disciplinary penalties makes such activity commonplace. Incorporation of an effective identification system for both ANA and ANP members could serve as a deterrent to AWOL and desertion by making positive identification of force members possible throughout the country.⁸⁷

⁸⁴ U.S. Government Accountability Office, *Further Congressional Action Needed*, 24.

⁸⁵ *Ibid.*, 22.

⁸⁶ U.S. Department of Defense Report to Congress, *Report on Progress Toward Security and Stability in Afghanistan*, June 2008, 18.

⁸⁷ *Ibid.*

Much as the rest of Afghanistan, the abundance of narcotics, drug abuse, and addiction impact the ANA—albeit on a smaller scale than the ANP and the civilian population. Afghanistan fighters have long relied on drugs to provide courage in battle and pain relief. Although the ANA does not test for drugs nor collect any statistical data, the Defense Ministry publicly acknowledges that the ANA is treating addicts in army hospitals. Adding to the problem, Afghan culture does not view hashish or marijuana as drugs and their use in society is more acceptable than alcohol, thus increasing the number of drug addicts.⁸⁸

Professional leadership and technical specialties are lacking across much of the ANA force with the greatest inadequacies occurring in the non-commissioned officer (NCO), medical, and engineering corps. Manning levels for the NCO corps ranges between 50-70 percent of the authorizations, with low literacy rates and lacking education levels of incoming recruits causing much of the shortfall. Additionally, although the ANA has courses to train these fields, the majority of trainers remain solely in the infantry corps and so the ANA must rely on coalition support to train them.⁸⁹

Beyond personnel problems, equipment quality and quantity limit the capability of the army. In 2005, studies identified significant equipment shortfalls in the ANA forces. In response, the ANA has procured tens of thousands of M-16 rifles, 2,500 Humvees, and body armor to increase force effectiveness.⁹⁰ Despite these efforts, equipment shortfalls still limit training, operations, and capability rates. Lack of equipment puts ANA forces in grave danger when opposed by heavily armed insurgents in combat action. Additionally, as security

⁸⁸ Kim Barker, "Cops, Troops in Ranks of Addicts," *Chicagotribune.com*, http://archives.chicagotribune.com/2008/oct/01/nation/chi-afghan-cops_barkeroct01, (accessed January 29, 2009).

⁸⁹ U.S. Government Accountability Office, *Further Congressional Action Needed*, 23.

⁹⁰ Afghanistan National Army, "National Army Fact Sheet."

conditions have deteriorated and attacks increase, the Ministry of Defense in conjunction with coalition partners has turned the focus to procurement of better protective equipment and more lethal weapons.⁹¹ Heavy weapons, logistics vehicles, and communications equipment remain most critical. Competing global priorities and production delays are the reasons for these equipment deficiencies, not financial shortfalls.⁹² The ongoing war in Iraq has claimed priority resources that were bound for Afghan troops from DoD contractors, leaving many troops reliant on outdated weapons and equipment to continue operations.

A final problem sometimes faced by the ANA force is language and ethnic diversity. Afghanistan is ethnically diverse with many different languages and Afghan forces do not serve solely within their ethnic and linguistic region. As insurgency levels rise in the southern and eastern regions of the country, northern forces are deploying south to support COIN efforts. Some of these forces do not speak the language of the local population or that of the supporting security forces they augment and have different cultural backgrounds and customs. Thus, communication with the local civilians and ANP forces is limited in effectiveness. Additionally, the ethnic diversity means regional, social, and tribal differences and beliefs from the citizens they protect. These differences make it difficult to establish trust and build rapport with the local citizens, tasks essential to COIN operations.⁹³ These

⁹¹ U.S. Government Accountability Office, *Further Congressional Action Needed*, 26. The original plan to equip the ANA included mostly donated salvage equipment from other nations. The U.S. amended this plan to utilize the salvaged equipment to only augment the force, not as primary equipment because much of the salvaged equipment was old, defective, or incompatible.

⁹² *Ibid.*, 28.

⁹³ Anthony H. Cordesman et al., "Winning in Afghanistan: Creating Effective Afghan Security Forces (Working Draft, December 9, 2008)," *Center for Strategic & International Studies Report* (Washington, DC: January 6, 2008), 40.

problems do not stop operations, they merely point out that the ANA may not be as successful as they could be with common cultural and linguistic ties.

Afghan National Police (ANP)

The other key component of Afghan security is the ANP. It plays a pivotal role in conjunction with the ANA in providing the security needed to successfully stabilize Afghanistan, enforce the rule of law, marginalize narcotics operations, and control terrorism. The ANP has made great strides in force size but has experienced only limited success in security and counternarcotics operations since its inception. The ANP originally formed in the 1960's but dissolved and became militarized during the Soviet occupation. The Taliban did not re-establish a police force, but instead formed a "Vice and Virtue Police," which ceased to operate upon the fall of their regime.⁹⁴

The stated mission of the ANP is to enforce the rule of law, protect the rights of citizens, maintain civil order and public safety, control national borders, and reduce the level of domestic and organized crime. The size of the ANP force was set at 62,000 upon its inception in 2003. In May 2007, the Afghan government approved an interim increase in the number of authorized police forces to 82,000 in response to increased violence and crime. As of 2008, the force level exceeded 80,000 police.⁹⁵ The 2011 projections state that the ANP will be a fully constituted police force of 82,120 members to uphold the law.⁹⁶

⁹⁴ Afghan Center for Policy and Human Development, *Afghanistan Human Development Report 2007*, UNDP (Kabul, 2007), 82.

⁹⁵ U.S. Government Accountability Office Report on House Subcommittee on National Security and Foreign Affairs, *Afghanistan Security: U.S. Efforts to Develop Capable Afghan Police Forces Face Challenges and Need a Coordinated, Detailed Plan to Help Ensure Accountability*, GAO-08-883T (Washington DC, June 18, 2008): 4.

⁹⁶ Islamic Republic of Afghanistan, *Afghanistan Development Strategy*, 55.

The increase in police forces provides some success in law enforcement including anti-narcotics, border security, and crime/corruption reduction. ANP forces have led and participated in many major successful operations. In 2007, in cooperation with the U.S. Drug Enforcement Administration, Afghan agents arrested a corrupt provincial police chief, Abdul Khaliq. The bust netted 30 kilos of heroin, worth roughly \$1.5 million on the streets of the United States.⁹⁷ In June 2008, Afghan police forces delivered what may be the largest drug bust to ever occur in the world when ANP forces seized 260 tons of hashish in Kandahar Province worth an estimated \$400 million.⁹⁸ Most recently, in 2008, in conjunction with U.N. forces, the ANP intercepted several hundred tons of acetic anhydride. This chemical is necessary for heroin production and would have enabled drug lords to produce heroin locally from opium—increasing revenue dramatically.⁹⁹ In overall success from 2005-2007, police participating in “OPERATION CONTAINMENT” helped seize over 26 tons of heroin and arrest over 1,000 criminals. This success is an increase of over 580% seized compared to that from 2003-2005.¹⁰⁰

These numbers indicate dramatic success. Unfortunately, the problems within the ANP greatly overshadow these successes. The problems are so severe that they impede the ability to effectively provide country-wide security. Although the ANP now has some

⁹⁷ Tresha Mable, “Afghan Poppy Industry Eludes U.S. Control,” CNN.com, <http://www.cnn.com/2007/WORLD/asiapcf/09/07/afghanistan.poppies/index.htm> (accessed August 25, 2008).

⁹⁸ Katzman, “Afghanistan: Post-War Governance,” 19.

⁹⁹ Celestine Bohlen, “Anti-Drug Efforts Yield Success in Afghanistan,” Washington Times, <http://www.washingtontimes.com/news/2008/oct/09/anti-drug-efforts-yield-success-in-afghanistan/> (accessed November 1, 2008). A kilo of heroin sells for \$3,500, compared to about \$100 for the same kilo of opium.

¹⁰⁰ U.S. Department of State, *U.S. Counternarcotics Strategy for Afghanistan*, Compiled by Ambassador Thomas A. Schweich, DOS (Washington DC, August 2007), 18.

presence in most of Afghanistan's 34 provinces, they lack sufficient presence throughout rural areas to provide security and enforce the rule of law.¹⁰¹ Primarily located in densely populated urban areas, these forces lack the basic transportation assets and infrastructure to move freely about all areas of the country to provide the requisite support and security for success. These transportation and equipment problems are only two of many faced by the ANP.

The reported 80,000 member ANP force raises questions about the authorized force size. If the published strength is true—it provides a ratio of one police unit for every 381 Afghans. In comparison, the ratio in England is 1:370 and 1:374 in South Africa.¹⁰² While comparable in ratio, the intended purpose differs immensely. England and South Africa are countries that are stable and secure while Afghanistan is not. The Afghan force is responsible for providing security, controlling crime, and enforcing rule of law in an area that has had no previous governance or law enforcement. In addition, the reliability of the 80,000 figure itself is suspect. The DoD reported in September 2007 that it was unable to verify the existence of about 20 percent of the uniformed police force and 10 percent of the border police listed on the payroll.¹⁰³ Personnel records for these employees are nearly nonexistent. In 2006, the Combined Security Transition Command-Afghanistan (CSTC-A) performed an audit of the province of Zabul and found that of the 776 police reported, only 271 were present for

¹⁰¹ Ibid., 2.

¹⁰² Afghan Center for Policy and Human Development, *Afghanistan Human Development Report*, 83.

¹⁰³ U.S. Government Accountability Office Report on House Subcommittee on National Security and Foreign Affairs, 5-8.

duty.¹⁰⁴ Deceased officers often remain on the payroll; some 17 percent of ANP on the payroll may be dead or wounded and remain on the payroll to ensure family compensation.¹⁰⁵ These factors cast doubt on the actual size of the reported 80,000 member force and their ability to protect society.

The ANP recruits mainly from tribal groups and existing militia which causes quality and loyalty inconsistencies among the force. Lower pay and greater risk in comparison to ANA recruits also forces the acceptance of less qualified candidates. There were nearly 1,200 ANP forces killed in 2007-2008, compared to just over 400 ANA members.¹⁰⁶ Recruits often maintain allegiance to tribal strongmen and militia commanders rather than the ANP.¹⁰⁷ Police forces routinely provide intelligence to the local militias, as well as official supplies and equipment needed to sustain the police force. The majority of the recruits join the ANP primarily for employment and benefits. The quality of incoming recruits poses a difficult dilemma that the ANP must overcome.

Tribal fighters and militia are among the uncommitted or unreliable individuals enlisted in the ANP and insurgents themselves have infiltrated the force. Rumors abound that it is possible that as many as one in ten recruits of the Auxiliary Police Force is a Taliban member joining to gain valuable intelligence to provide insurgent forces.¹⁰⁸ The government

¹⁰⁴ Andrew Wilder, "Cops or Robbers? The Struggle to Reform the Afghan National Police," Afghanistan Research and Evaluation Unit, (Kabul, July 2007): 7.

¹⁰⁵ Cordesman, "Winning in Afghanistan," 54.

¹⁰⁶ Ibid.

¹⁰⁷ Wilder, "Cops or Robbers," 14.

¹⁰⁸ Benjamin Sand, "Afghan Government Recruiting Thousands of Auxiliary Police to Battle Insurgents," Voice of America, <http://www.voanews.com/english/archive/2007-01/2007-01-10-voa27.cfm?CFID=88339448&CFTOKEN=29004020> (accessed September 27, 2008).

has little recourse in controlling the quality of its recruits. In addition, once these forces are trained, little follow-up occurs to monitor these forces. In some areas the ANP actually hamper security since after receiving training they depart the force only to rejoin with anti-governmental insurgent forces.¹⁰⁹ They take with them valuable equipment, knowledge, intelligence, and tactics to be used against coalition and other Afghan security forces.

Although the ANP is apparently nearing the reported end strength, quality and readiness problems are severe. If this force is to provide the security needed for a self-sustaining Afghanistan, they must be capable. Presently the force is not. A 2007 DoD study assessed the 433 police units and found that none were fully capable of performing their mission and over three-fourths of the units were at the lowest capability rating. Additionally, about 96 percent of uniformed police districts and all border police battalions received ratings of “not capable.” The greatest obstacle police face in becoming fully capable is training. As with the ANA, qualified embedded training mentors are lacking. In April 2008, there were only 32 percent of the required mentors performing duty in Afghanistan. Those performing as mentors have relocated from other duties to fill the urgently needed role, but the majority have never received the formal training needed to perform the security duties assigned.¹¹⁰

Due to the limited quality of recruits and easy access to narcotics in daily police duties, drug use and addiction pose greater problems for the ANP than the ANA. In 2008, when the Ministry of Interior tested police and incoming recruits, they uncovered that 1 in 3

¹⁰⁹ Wilder, “Cops or Robbers,” viii.

¹¹⁰ U.S. Government Accountability Office Report on House Subcommittee on National Security and Foreign Affairs, 5-9.

members tested positive for drug use. In the Kandahar recruitment center, of 204 incoming recruits tested, 88 tested positive for hashish and marijuana.¹¹¹ A British official working in Helmand Province reported that 60 percent of the ANP in his area regularly use narcotics.¹¹² Although the original plan was to fire those testing positive for narcotics, such high numbers forced the Ministry to reconsider or else they would lose a third of the force.¹¹³

Pay is also a significant issue facing most recruits and is minimal for lower echelon police personnel. Pay for all ANP echelons remains lower than ANA forces. Although currently under review, pay for patrolmen is only \$30 to \$50 per month, less than the \$70 new army recruits are paid and often less than day laborers can earn on construction sites. These discrepancies plague retention in the force and also limit the quality of new recruits applying for duty since salaries are insufficient to support a family's living expenses causing some police to resort to corruption to augment their income.¹¹⁴ Examples of corruption include: members providing the enemy weapons, defecting to the Taliban, and high ranking officials engaging in bribery. These pay problems highlight the possible need for pay reform in the security sector as a precursor for building a capable police force.

The banking system of Afghanistan and the pay logistics further exacerbate financial compensation problems with members facing delayed payments sometimes lasting for months. As with army personnel, some members spend portions of their salary just to travel

¹¹¹ Kim Barker, "Cops, Troops in Ranks."

¹¹² Ben Farmer, "Two-Thirds of Afghan Police Take Illegal Drugs," *Telegraph.co.uk*, <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/4690409/Two-thirds-of-Afghan-police-take-illegal-drugs.html> (accessed February 25, 2009).

¹¹³ Kim Barker, "Cops, Troops in Ranks."

¹¹⁴ U.S. Government Accountability Office Report on House Committee on International Relations, *Afghanistan Security: Efforts to Establish Army and Police Have Made Progress, but Future Plans Need to Be Better Defined*, GAO-05-575 (Washington DC, June, 2005): 26.

to collect their pay or go AWOL to deliver financial support to their families.¹¹⁵ Corrupt superiors often skim portions of pay from lower ANP forces to augment their salaries. In Maiwand district in 2008, pay problems forced the dismissal of over 200 policemen for corruption. Their replacements then quit after not receiving pay for over three months.¹¹⁶ Presently, pay problems and corruption are the greatest constraints to the ANP retention.

Narcotics, crime, and corruption fuel the ongoing insurgency in Afghanistan. To be successful, COIN operations conducted by coalition forces, the ANA, and ANP must target these critical factors. Additionally, the forces must focus on these factors in parallel as they are dependently linked. Only by doing so will COIN operations provide the synergistic effects necessary for the security, social needs, and economic reform needed to develop a stable nation.

¹¹⁵ U.S. Government Accountability Office Report on House Subcommittee on National Security and Foreign Affairs, 12.

¹¹⁶ Cordesman, "Winning in Afghanistan," 69.

In the Afghan administration now, money is the law. When you have money here, you can do anything. Afghanistan is the only country in the world where corruption is legal.

—Ramzan Bashardost, “Pervasive Corruption Fuels Deep Anger in Afghanistan”

VI. Judicial System

Overview

A functioning and effective judicial system capable of enforcing the rule of law is paramount to providing safety, security, good governance, and economic reform for the population of Afghanistan. Without a comprehensive justice sector, the narcotics industry will continue to thrive as well as provide anti-governmental organizations the necessary capital to continue. An effective judicial system including incarceration facilities provides deterrence and the means of enforcement against illegal acts. It also provides a means for civil order and addressing citizens’ grievances. Civil law and order increases economic capability, entices business opportunities, and provides assurance to international investors. However, the current Afghan judicial system faces serious manning, training, and infrastructure problems that they must overcome to uphold justice and the rule of law.

There is some improvement in the central justice system where competent leadership is improving judicial processes and coordinating closely with international partners. Narcotics prosecutions are taking place. The Central Narcotics Tribunal (CNT) in conjunction with the Criminal Justice Task Force (CJTF) are operational and functioning. The CNT, located in Kabul, is the Afghan court with exclusive nationwide jurisdiction over major drug and corruption cases. The CJTF researches and prosecutes the cases heard before

this court.¹¹⁷ The CNT has already handled hundreds of prosecutions and proven successful in combating narcotics. These two entities are key to controlling the narcotics industry.

However promising the justice outlook appears, the limitations of the justice sector are even greater. Corruption, funding, facilities, employees, and training are all factors that impede progress in this critical area. The government must address these issues for any chance of success and reform.

Civil Legal System

For citizens to have faith in a judicial system it must first address their needs and be trusted as fair and impartial. The system must not only prosecute criminals but also address citizens' civil rights and well being. With the present infrastructure and few trained legal professionals, this has not occurred. Most Afghan citizens do not have the access to the legal system that addresses their rights and therefore rely on customary law to address problems.

One of the most pressing civil law issues is land and property rights. Refugees and displaced persons returning to Afghanistan are finding their land seized in their absence and their homes occupied. The efficient and equitable restoration and re-distribution of land is essential to returning refugees and internally displaced persons. Property rights are imperative to individuals' well-being and the future stability of the country.¹¹⁸ Presently, there is no clarity on who is responsible for resolving land rights. The Ministry of Justice (MOJ) lacks the training, support staff, and skill to review and rule on land disputes.¹¹⁹ The

¹¹⁷ U.S. Department of Defense Report to Congress, *Report on Progress Toward Security and Stability in Afghanistan*, January 2009: 54.

¹¹⁸ U.S. Department of Defense Report to Congress, *Report on Progress Toward Security and Stability in Afghanistan*, June 2008, 32.

¹¹⁹ Ibid.

civil court system lacks financial and administrative support, infrastructure, and educated attorneys to effectively process most cases. Clear and legal land ownership is extremely critical for farmers, as citizens must possess land if there is hope of reviving the agricultural industry.

With few courts, attorneys, and judges, the capability to provide resolution is extremely limited. To aid in resolution, the ANP is increasing its capability to peacefully resolve civil matters by training forces in the legal process and suspects' and plaintiffs' rights. This allows opportunity for effective resolution between parties outside the court system. In the absence of peaceful resolution outside of the system the formal system of law adjudicates the cases.¹²⁰ This process will ease the extreme burden presently placed on the judicial system.

In addition to citizens' civil legal rights, corporate legal capability is necessary to provide alternative economic opportunities and livelihoods to combat the narcotics industry. The current focus looks promising for future international investors and corporations interested in Afghanistan. This infusion of international interest could provide licit economic opportunities to help squash the poppy trade. The Law of Organization of Courts, created by the MOJ, is working to establish eight commercial courts throughout the country. Two are complete and are located in Kabul and Mazar-e-Sharif. The MOJ plans to increase the number of qualified commercial judges specializing in both national and international market economies which will increase the capacity and ability to hear additional cases. Additionally, the Independent Bar Association and Afghan Investment Support Agency also plan to help

develop commercial law and train attorneys in corporate law.¹²¹ While these activities are promising for the civil sector of Afghanistan, the civil corporate legal system must rapidly progress to achieve stability and economic reform necessary for success.

Although there are plans for growth in the corporate and commercial legal system, its present capability is inadequate and cannot handle all cases relating to technology, energy, corporate finance, banking, and intellectual property. Without corporate law, much opportunity for alternative development is unavailable because international corporations and investors face unacceptable risks.¹²²

Criminal Justice System

The criminal justice system reform is progressing at a much faster pace than the civil system and is lending an additional weapon in fighting narcotics production and trafficking. The system is also crucial in dealing with corruption—not a minor feat for Afghanistan. The criminal justice system is paramount in controlling the narcotics industry through deterrence and punishment.

Extradition is an international success that assists Afghanistan and coalition partners in counternarcotics, counterterrorism, and counterinsurgency efforts. The Anti-Narcotics Law, established in 2005, ratified and incorporated the provisions pursuant to the 1988 U.N. Convention against Narcotics and Psychotropic Substances in Afghan Law. This has enabled extradition to the U.S. of high-level targets and has paid dividends in the War on Terror. One example of this success is the case of Haji Baz Mohammed, a major international heroin trafficker who was extradited on drug charges for his “jihad by heroin” against the United

¹²¹ Ibid., 33.

¹²² Ibid., 32.

States. Mohammed was closely aligned with the Taliban and provided them financial support. He was responsible for processing and exporting hundreds of kilograms of heroin to the U.S. and generating tens of millions of dollars in revenue for the Taliban.¹²³ His extradition enabled the United States to sever this funding link.

Narcotics prosecution by the CNT and CJTF have shown marked improvement in their capacity and promise of indiscriminate justice against narcotics and corruption. Since their formation in 2005 the CNT has prosecuted more than 1,200 cases and convicted more than 1,450 of 1,600 defendants from 33 of the 34 provinces on narcotics-related charges. The CJTF success is evident by their increased number of drug seizures. In the six months from January to June 2008, the CJTF seized nearly 1,000 kg of heroin, 60,000 kg opium, 265,000 kg of hashish, and 19,000 kg of chemicals utilized for producing heroin.¹²⁴ Overall, the criminal justice system is progressing and is demonstrating success by convicting both narcotics producers and traffickers.

The infancy of the legal system increases incarceration time prior to trial which, in turn, creates distrust and animosity towards the system. The MOJ states that there were 9,604 detainees nationwide of which only 5,342 have been tried and convicted. The remaining 4,262 are still awaiting trial.¹²⁵ With only 1,400 judges, 2,500 prosecutors, and 150 defense attorneys, the judicial system does not have the capacity for timely prosecution. Many of

¹²³ PR Presswire News and Information, "United States Announces Arrest of Taliban-Linked Afghan Heroin Trafficker on Charges of Conspiring to Import Millions of Dollars Worth of Heroin," PR Presswire, <http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=109&STORY=/www/story/05-11-2007/0004586731&EDATE=> (accessed March 1, 2009).

¹²⁴ U.S. Department of Defense Report to Congress, *Progress Toward Security and Stability in Afghanistan*, January 2009: 54.

¹²⁵ Cordesman, "Winning in Afghanistan," 84.

those practicing law lack any formal legal training.¹²⁶ Rural areas of the country, without legal representation or the capability to follow the formal legal system and laws, resort to local elders and shuras who decide legal issues for both criminal and civil matters. This promotes a direct conflict with formal law, with some individuals following national law while others abide by local customs. Until the capacity is established to address all citizens' legal issues the nation will continue to face conflict between formal and informal law.

Most Afghan citizens are unfamiliar with published law and lack access to legal expertise. Incarcerated individuals are often unaware of their legal rights, and understaffed detention facilities and penal institutions preclude the provision of adequate legal representation. These factors all promote further animosity towards the formal legal system by citizens.

Incarceration Facilities

The lengthy time to trial is a result of limited infrastructure of the judicial system and few incarceration facilities collocated regionally with the courts. Presently, there are only 34 official prisons throughout the country, one in each province. Only 14 are equipped to house female prisoners. With assistance from the U.S. and UNODC, the Afghan Government recently refurbished a section of the Pol-i-Charkhi, Afghanistan's largest prison which is now capable of housing 100 maximum-security convicts.¹²⁷ Additionally, they have constructed 31 active rehabilitation centers for juvenile criminals.¹²⁸ Unfortunately, these numbers are

¹²⁶ Ibid.

¹²⁷ U.S. Department of State, Southwest Asia, International Control Narcotics Strategy Report," USDOS, <http://www.state.gov/p/inl/rls/nrcrpt/2008/vol1/html/100779.htm> (accessed 28 February 2009).

¹²⁸ Cordesman, "Winning in Afghanistan," 70.

extremely small for a country of over 33 million citizens trying to rebuild a formal justice system.

In these incarceration facilities, safety matters and inadequate security are of utmost concern as demonstrated by the June 2008 Kandahar jailbreak where 350 Taliban prisoners escaped.¹²⁹ Prison overcrowding is also a serious concern with some facilities operating at more than twice their planned capacity. District prison structures are nearly nonexistent in many locations with some utilizing shipping containers as holding cells.¹³⁰ Unsafe, overcrowded prisons put an extreme strain on an already struggling judicial system.

Incarceration is necessary to protect citizens as well as provide deterrence for criminal activity. Although capability exists in all provinces, the capacity is inadequate. Until infrastructure, training, and capacity increase, it will be difficult for the judicial system to provide adequate deterrence and gain the confidence of the populace necessary to promote the enforcement of the rule of law.

¹²⁹ Ibid., 88.

¹³⁰ Ibid., 70.

The low standard of living of much of the population has been exacerbated by 30 years of civil war. The economy is on the verge of sustaining itself through the sale of narcotics.

—Henry A. Kissinger, “A Strategy for Afghanistan”

VII. Alternatives

Introducing effective economic alternatives to the Afghanistan narcotics industry presents a vexing problem with no simple solution. Currently there is no crop in the country that can compare to the economic success generated by the poppy. As previously discussed, eradicating poppy without alternatives in place is likely to have repercussions on economic growth, governance, and security. Additionally, the Taliban capitalize on the international community’s failure to deliver on promises and compelling alternatives. Increased unemployment and decreased Afghan living standards are evidence of this failure to date and the Taliban use these conditions to their benefit in recruiting. In contrast to eradication efforts, the Taliban protect the opium production capabilities and assure the livelihoods of the opium farmers. Eradication without alternatives drives the citizens to the Taliban who are waiting with open arms.¹³¹

Many argue that the narcotics industry obstructs the legal economy of Afghanistan and limits opportunities for legitimate business. On the contrary, the narcotics industry does not suppress licit employment and industry opportunity. In fact, it may marginally contribute to these other businesses and industries as the inflow of international capital for drugs helps to promote certain opportunities within Afghanistan. Activities in construction and those involved in the trade sector (petroleum, transportation, and chemicals) all benefit from the

¹³¹ International Council on Security and Development, “Struggle for Kabul,” 16-17.

incoming capital the narcotics industry supplies.¹³² However, its negative byproducts are far greater than the benefits. At the same time, the insecurity and insurgency produced by narcotics activities discourage many potential investors from participating in economic growth. Because of the high risk in Afghanistan, corporations and international trade focus on different regions of the world for growth and opportunity.¹³³

Currently, 82 percent of Afghan citizens believe that growing poppy is wrong.¹³⁴ Unfortunately, most of these individuals have limited opportunity to prosper through legitimate means. The best way to combat opium production is to expand the market for legal alternatives by capitalizing on the natural resources of Afghanistan which offer economic potential. Significant quantities of natural gas, oil, and non-fuel natural resources are available in the region and could provide large-scale financial non-agricultural gains for the country. However, with nearly 80 percent of the public involved in agriculture, the broad emphasis should be on agricultural alternatives and development. These are critical in a country which has suffered from decades of war and is now a significant food importer.¹³⁵

USAID has spent about five percent of its Afghanistan funds on agriculture and its efforts have doubled the agricultural output over the last five years. However, even with this improvement, farmers could produce at maximum capacity and still not be successful. For an effective market economy to succeed, the country needs better infrastructure. Roads are

¹³² UN Office on Drugs and Crime, *Afghanistan's Drug Industry*, 32.

¹³³ Carol Reade, "Afghanistan at the Crossroads: Is There a Role for Business?" San Jose State University College of Business Briefing, http://www.cob.sjsu.edu/reade_c/162.McKenna-Afghanistan.F08.ppt (accessed April 3, 2009).

¹³⁴ Ruth Rennie, Sudhindra Sharma, and Pawan Sen, *Afghanistan in 2008: A Survey of the Afghan People*, Asia Foundation (Kabul, 2008), 5.

¹³⁵ Cordesman, "Winning in Afghanistan," 15.

critical to enabling any reform in Afghanistan. Attacks on truck and transit routes by insurgents are frequent. Safe roads are essential to enabling farmers to transport produce in a timely manner and for the population and security forces to travel quickly between provinces. Currently, the lack of major thoroughfares prevents access by security forces to many rural areas and provides a refuge for insurgents. As one Afghan general stated, “Where the road ends, the Taliban begin.”¹³⁶

Limited international freight capabilities provide few opportunities for export with current exports relying solely on postal service or U.S. military supplied airlift. Freight companies avoid involvement because of the instability and threats present throughout the region.¹³⁷ For alternatives to succeed it is critical that security and stability progress to allow the freight and logistics infrastructure to freely function.

Economic reform and microfinance schemes are essential to solving financial problems including dependency on Taliban and narco-industry sources of finance. The opium based salaam system, which extorts up to 40% of the crop values, exacerbates the financial struggles of peasant farmers and sharecroppers of the region. A legitimate, functioning, and available banking system that lends money at reasonable rates would go far in improving commerce. Funding availability in conjunction with education and training would enable new business to utilize revenue from within the country and international investors. Financial systems and institutions must be regionally available throughout the country with convenient

¹³⁶ Katzman, “Afghanistan: Post-War Governance,” 51.

¹³⁷ Associated Press, “Afghanistan Markets Pomegranates,” MSNBC.com, November 20, 2008, <http://www.msnbc.msn.com/id/27829614/> (accessed November 23, 2008).

access, not just centered in domestic areas. These systems would greatly combat the reliance on narcotics.

Agriculture Alternatives

It is true that the climate and soil conditions are not conducive to growing a multitude of successful, highly profitable crops in Afghanistan. Besides wheat—the current staple—there are several to consider. Fruit production proved successful in the 1970s when Afghanistan was famous for its grapes, apricots, pomegranates, and other fruits.¹³⁸ Recent studies show that, in addition to these crops, melons, peaches, mulberries, and potatoes can grow in areas with high rainfall. Lentils, herbs, chickpeas, onions, and sesame can be successful in dryer regions. Even the driest regions in the country can successfully grow pistachios, almonds, barley, and Russian olives. Some of these crops are new to the Afghan region. By growing these crops and implementing educational farm programs, additional agricultural opportunities become available and can be profitable. Some forms of wheat are nearly equivalent to the revenue provided by opium and some forms of potatoes and onions are even more profitable than opium (Figure 5).¹³⁹ Most legal crops are considerably less labor intensive, requiring fewer employees. Changing to these crops would enable more children to go to school, producing more options for diversity and progress for future generations. International or national marketing of these crops could help reduce the high food import levels that the country currently requires.

¹³⁸ Simon Robinson, “Pomegranates: A Fruitful Trade,” *Time* World, December 5, 2007, <http://www.time.com/time/magazine/article/0,9171,1691091,00.html> (accessed November 23, 2008).

¹³⁹ World Bank and Department for International Development, *Afghanistan: Economic Incentives and Development Initiatives to Reduce Opium Production*, World Bank and DFID (Washington DC, February 2008), 9.

Potential Net Returns on Winter Crops in Jurm and Baharak, Badakshan (Afghanis/jerib)		
	With family labour	With some hired labour
Opium poppy	29,580 (\$296)	22,580 (\$226)
Wheat (low yield)	15,520 (\$155)	
Wheat (medium. yield)	27,520 (\$275)	
Onion (improved)	33,200 (\$332)	30,200 (\$302)
Onion (local)	13,857 (\$139)	10,407 (\$104)
Potato	29,500 (\$290)	

Figure 6. Net Return from Other Crops Compared to Poppy¹⁴⁰

Over the past six years, USAID has implemented multiple farming programs. Most recently, pomegranates have shown promise in the country with the Afghan pomegranate considered one of the best in the world. The pomegranates are larger than those typically exported from Turkey and North Africa. French exports of these pomegranates to Dubai have been quite successful. Although extra care and investment is necessary, pomegranates prove that there are crops more profitable than opium. Farmers average \$2,000 per acre from the pomegranate, compared to \$1,320 per acre that opium brings.¹⁴¹ More than a million pomegranate trees are now thriving in the country and produced between 33,000 and 44,000 tons of the fruit in 2007. Unfortunately, Afghanistan exported only 1,102 tons due to logistical limitations. Exports relied on airlift due to the long transit times on the country's primitive road structure. With limited airfreight capabilities, U.S. military airlift was the only available transport mechanism to facilitate this export.¹⁴² Although in an immature stage, USAID programs have proven that there are alternative agricultural crops that can succeed in the region.

¹⁴⁰ Ibid.

¹⁴¹ Associated Press, "Afghanistan Markets Pomegranates."

¹⁴² Robinson, "Pomegranates: A Fruitful Trade."

However successful these licit crops have been, there are drawbacks in growing them. Alternative crops are much riskier for farmers. Additionally, drug lords provide benefits unavailable to support production of crops. Advance payments, credit, technical advice, and provided security are all important benefits that farmers forfeit by switching to licit crops.¹⁴³ Security and the ability for farmers to gain unsecured loans are necessary before these alternative approaches can prove successful. Government presence, security, infrastructure, and finance capabilities must be in place for any large-scale industry success.

Non-Agriculture Alternatives

Although present-day Afghanistan is heavily reliant on agriculture to provide economic support for the majority of the population, the region does have a wealth of untapped natural resources. Located predominately in the northern half of the country, these resources could provide needed alternatives to the narcotics industry. Afghanistan should consider oil, natural gas, coal, minerals, and gemstones as viable industrial options. Marketing of these resources occurred prior to the late 1970s and Soviet invasion. In addition to providing for Afghans, these resources are in great demand internationally and could bring valuable large-scale income to the country while opening up foreign trade and corporate investment opportunities.

Prior to the Soviet invasion and the destruction of infrastructure, Afghanistan was beginning to produce oil from the northern regions of the country. Since the initial discovery in 1959, the country had identified more than 150 million barrels of oil reserves from 29

¹⁴³ Associated Press, "Afghanistan Markets Pomegranates."

fields in the region.¹⁴⁴ Prior to Soviet invasion, plans were in progress to construct a 10,000 barrel per day (bbl/d) refinery to market this oil.¹⁴⁵ After the Soviet invasion no oil infrastructure repairs occurred and efforts ceased so that Afghanistan has exploited only a small portion of its oil reserves. Primitive Soviet techniques developed these reserve estimates, and it is possible newer exploration techniques and technology may uncover even greater reserves in the region.¹⁴⁶

The coal industry once provided an alternative to the lumber currently utilized for energy. Estimates state Afghanistan has 73 million tons of coal reserves near Herat. While not large in comparison to many countries, it is a moderate to abundant level that is greater than all other Middle Eastern countries except Iran. In the late 1990s the country was mining over 200,000 tons annually, down from the highest levels in the early 1990s.¹⁴⁷ Current coal production is now back to prewar production levels, at 220,000 tons annually. However, production is still far from meeting the domestic energy demands.¹⁴⁸ Coal could provide energy resources for additional electricity output. Furthermore, it could aid the agriculture sector by using coal instead of trees for fuel, helping to control deforestation and erosion and allowing more fruit trees to mature. Legal mining is currently under government control but cannot produce enough coal to meet demand. Opening up coal mining to commercial

¹⁴⁴ USGS Projects in Afghanistan, "Oil and Natural Gas," USGS, <http://afghanistan.cr.usgs.gov/oil.php> (accessed January 10, 2009).

¹⁴⁵ Afghanistan Background, "Afghanistan: Natural Resources and Energy," Institute for Afghan Studies, <http://www.institute-for-afghan-studies.org/ECONOMY/natural%20resources.htm> (accessed February 3, 2009).

¹⁴⁶ USGS Projects in Afghanistan, "Oil and Natural Gas."

¹⁴⁷ Afghanistan Background, "Afghanistan: Natural Resources and Energy."

¹⁴⁸ US Department of the Interior, "Assessing the Coal Resources of Afghanistan," USGS, afghanistan.cr.usgs.gov/downloadfile.php?file=Coal%20Resources.pdf (accessed February 2, 2009).

enterprises is another opportunity which would increase supply while generating government revenue and additional employment.

Natural gas is a resource that can produce valuable income regionally and through international export. In the 1970s the Soviets estimated that Afghanistan had natural gas reserves of nearly five trillion cubic feet. In 1980, the country was producing 220 million cubic feet per day (Mmcf/d). Since then, there were plans for additional fields to raise capacity to 385 Mmcf/d, but sabotage of infrastructure by the mujahidin capped this capacity at 290 Mmcf/d. In the 1970s, Afghanistan exported 70-90 percent of their total natural gas output to the Soviet Union linked through Uzbekistan. In the 1990s there were talks with Hungary, Czechoslovakia, and other European countries interested in supply arrangements but these talks ceased due to the instability within the country.¹⁴⁹ Nevertheless, all of these facts are good indicators that the natural gas industry has great potential to assist the country given infrastructure repair, trade resumption, and profitable prices.

The largest potential for Afghan success may rest in precious metals where recent exploration has found large amounts of copper and iron. Excavation for copper is now in progress with a Chinese company signing a contract to excavate the Aynak mine east of Kabul, providing an 800 million dollar payment to the government. The mine is one of the largest in the world, predicted to contain more than 11 million tons of copper. This translates to 88 billion dollars at current market prices and 400 million dollars in annual fees and taxes the government will receive. It also represents about 5,000 Afghan jobs. Additionally, the company plans to build a railway line and power plant to support the mine providing

¹⁴⁹ Afghanistan Background, "Afghanistan: Natural Resources and Energy."

additional employment for Afghans and opportunities to diverge from the narcotics industry.¹⁵⁰ This is just one example of the potential precious metals may offer the nation.

The country's geographical position is also an opportunity for revenue from transiting pipelines from Central Asia to the Arabian Sea's coast and countries in the region. The Pakistan Arabian Sea Coast oil pipeline, under consideration in the late 1990s, was to be over 1,000 miles and to provide over 1,000,000 bbl/d. Unfortunately, the plan terminated due to the instability and poor security of the country.¹⁵¹ In 1998, Afghanistan signed another agreement for an 890-mile natural gas pipeline to Pakistan. By the end of 1998 however, construction ceased after falling natural gas prices and increased risk made this project uneconomical.¹⁵² With increased security and stability these pipelines may provide substantial income and employment for Afghans.

Natural resources present great opportunities for alternative livelihoods for Afghans in a quest to diverge from the poppy. They offer promising opportunity for income, employment, and international trade. Security will be crucial to the success of these programs as international investors carefully access the risk in doing business in the country.

Medicinal Legalization

Opium and its byproducts are in great demand throughout the world for medical purposes. Major medicinal drugs of the opiate family include: codeine, papaverine, and morphine. Most opiates are painkillers while other variants can treat spasms and nervous

¹⁵⁰ Afghanistan Press, "Afghanistan Sitting on a Gold Mine," RAWA News, <http://www.rawa.org/temp/runews/2008/02/21/afghanistan-sitting-on-a-gold-mine.phtml?story=Kabul> (accessed January 10, 2009).

¹⁵¹ Afghanistan Background, "Afghanistan: Natural Resources and Energy."

¹⁵² Ibid.

conditions. With the large Afghan opium supply and worldwide demand, legalization of opium is a possible alternative to eradication. Government licensing and controlling of the opium industry would shrink the illegal opium production and provide farmers a sustainable livelihood. The government of Afghanistan would also benefit from taxes from this legitimate income and funding would also be available to the economic sector. This concept has been successful in both Turkey and India, so why not Afghanistan? Presently, the United States has agreed to purchase at least 80 percent of our medical opiates from Turkey and India under an “80-20” agreement.¹⁵³

Although any diversion from the illegal market is a step forward, the international community would likely resist the proposal. The International Narcotics Control Board (INCB) contends that there is not enough demand for any increase in supply. Both Turkey and India meet the current demand and increases in supply would flood the global market and reduce the demand from these countries. If Afghanistan legally produced opiates, the excess in both Turkey and India would fill the void in illegal markets. Additionally, the INCB mandates that parent governments strictly control and monitor all legal cultivation of medical opiates to prevent the drugs from falling into the wrong hands.¹⁵⁴ Given the present Afghan situation, this is not possible. There must be strict government enforcement and oversight for such a program. The current government lacks the presence to prevent this from occurring. Additionally, without a strictly controlled government program, higher illegal market prices from reduced supply could divert legal opiates. The process of deciding who acquires licenses would also cause conflict. Obviously, all farmers would not be able to

¹⁵³ Felbab-Brown, “Afghanistan and Opium.”

¹⁵⁴ Ibid.

continue to grow opium so there would be animosity and corruption involved in the decisions. The world demand could not possibly absorb all the Afghanistan opium, so some farmers would continue to produce opium illegally. Although conceptually a feasible proposal, the legalization of Afghan opium would meet fierce global opposition.

Education

Advanced education and employment opportunities are severely limited to most citizens due to the low literacy rates. Drastic reform will take years but must start with current generations incorporating education at the lowest levels. The government must provide secure learning environments to children of both genders. The nation must build additional schools, train additional educators and provide adequate infrastructure to support attendance even in rural areas.

Robust education incentives are currently in progress. Presently, there are more than five million students enrolled in school. This is more than a 500 percent increase from under Taliban rule. Both male and female students are now welcome in the education system. The education system established the American University of Afghanistan, a four-year liberal arts university located in Kabul. Additionally, they founded the International School of Kabul, offering K-12 grades to children on a large scale—under an American style and theme.¹⁵⁵ Literacy and education opportunities are increasing at a rapid rate in Afghanistan and education can do much to set better conditions for prosperity and opportunity among individuals with no clear alternatives.

¹⁵⁵ USAID, Afghanistan: Education, “Objective: Increasing Access to Quality Education and Suitable Learning Environments,” USAID, <http://afghanistan.usaid.gov/en/Article.6.aspx> (accessed February 27, 2009).

Increased educational opportunities cannot be the sole focus of educational improvement. Expanded curriculum in regional educational institutions is also critical to change in the region as well. Presently, educational opportunities include radical religious schools—the madrassas. The majority of these madrassas that Afghans attend are located in Pakistan. The radical religious curriculum taught in these madrassas is what spawned many of the insurgent and terrorist problems currently faced. In efforts to curb the influence of these radical institutions, reconstruction efforts are establishing reformed madrassas in Afghanistan. Two schools in Khowst are now complete with a third in construction.¹⁵⁶ These are still religious based schools, but the state can control the curriculum in these schools, educating children to the parameters chosen by the government. These reformed institutions can incorporate the views and ideals necessary for change by infusing science and language programs in addition to religious education.¹⁵⁷ This type of education will enable additional employment opportunities and alternatives to narcotics production.

Although these new schools are scarce and in great need, they are a step in the right direction. The State Department is closely monitoring the progress of this program and planning for more schools. Officials are holding weekly meetings with the students in an effort to evaluate student progress and learning, focussing the curriculum in the proper direction.¹⁵⁸

¹⁵⁶ Jon Boone, “US Funds Madrassas in Afghanistan,” *Financial Times*, http://www.ft.com/cms/s/0/d1b9e546-ceb4-11dc-877a-000077b07658.html?nckick_check=1 (accessed January 30, 2009).

¹⁵⁷ *Ibid.*

¹⁵⁸ Boone, “U.S. Funds Madrassas.”

Stability in Afghanistan cannot be achieved without addressing the drug issue, and counternarcotics programs cannot be deferred to a later date.

—Robert B. Charles, “How the Drug War in Afghanistan Undermines America’s War on Terror”

VIII. Conclusion

It has been nearly eight years since U.S. and coalition forces entered Afghanistan. Since then, more than 40 countries, three major international organizations, and numerous non-governmental organizations have become involved in efforts to rebuild and secure the country.¹⁵⁹ Security and stability are vital to the success and reform of Afghanistan. Because the country is a linchpin for regional stability, its success is essential to increased world security.

Narcotics play a pivotal role in determining the potential success of Afghanistan. The narcotics industry provides the financial capital necessary for continued insurgent activities while promoting social decay and reducing the government’s capacity for control. The country cannot succeed as a stable nation without marginalizing narcotics production and narco-trafficking. Narcotics are a center of gravity essential to insurgent survival and continued operations.

This paper lays out the complexities of the situation facing the people of Afghanistan and illustrates the fact that narcotics transcend all aspects of the counterinsurgency and stability in Afghanistan. It also suggests an array of solutions that they must undertake in a coordinated effort to make the fundamental changes needed to make a real and lasting

¹⁵⁹ Strategic Advisors Group, Atlantic Council of the United States, “Saving Afghanistan: An appeal and Plan for Urgent Action,” Columbia International Affairs Online, http://www.ciaonet.org/pbei/acus/0015630/f_0015630_13633.pdf (accessed February 15, 2009).

difference. These integrated solutions must include: improved security, an effective transportation system, a sound financial system, an enhanced judicial system, development of alternative livelihoods, and finally, developing an education system that will enable Afghans to fully participate in the revitalization of their country. The strategy must synchronize these efforts in a near-simultaneous campaign as a sequential campaign would most likely take too long and be an easy target for enemies of the state. Clearly, continued and concentrated support from the international community is essential for ultimate success. None of this can occur in a climate corrupted and influenced by narcotics.

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